



# An inspection of contingency asylum accommodation for families with children in Northern Ireland

May – June 2023

**David Neal**

Independent Chief Inspector of  
Borders and Immigration



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# Contents

Foreword	2
1. Key findings	4
2. Recommendations	8
3. Background	10
4. Scope and methodology	16
5. Inspection findings: key concerns	17
6. Inspection findings: safeguarding contractual requirements and standards	26
7. Inspection findings: Advice, Issue Reporting and Eligibility (AIRE) contract	32
8. Inspection findings: sharing and reporting of safeguarding data and information	36
9. Inspection findings: Home Office governance and assurance for safeguarding	42
Annex A: Role and remit of the Independent Chief Inspector	48
Annex B: ICIBI's 'expectations'	50
Acknowledgements	52

# Foreword

This inspection came about as a request from senior officials in the Home Office responding to concerns relating to safeguarding issues in hotels in Northern Ireland occupied by family groups of asylum seekers.

Housing families in hotels is a temporary response by the state to the current migrant crisis. All of the contributors to this inspection considered that it was an unsatisfactory expedient measure.

This inspection heard troubling evidence from health visitors that young people are losing weight because they are refusing to eat culturally unfamiliar food. Putting to one side previous ICIBI recommendations in relation to contracts, the Home Office should have a sufficiently responsive assurance regime to tackle this reality; it needs to quickly identify and address such reports with the contractor to stop it happening. This is something that I will continue to monitor.

Worryingly, the inspection found that basic clearances and training for some contractor staff had not been undertaken, resulting in a number of staff working with children and vulnerable adults for many months in hotels who had not undergone checks or training. I made similar findings last spring when inspecting hotels used to accommodate unaccompanied asylum-seeking children on the south coast of England. Systems for recording and monitoring safeguarding incidents also remain in development. These are basic building blocks of a safe and effective service which really should be picked up by internal assurance mechanisms rather than the statutory inspector. These need to be addressed as a matter of urgency.

With regards to Migrant Help and the AIRE contract, it is clear, based on the evidence of this inspection, that the Home Office's solution to communicating between service users in hotels and the Home Office is not working. Service users, Home Office staff and contractors have no confidence in it, and it needs to be reassessed. This was highlighted in the 2021 inspection of contingency asylum accommodation and has still not been addressed.

On the ground, welfare support staff, employed by the accommodation provider Mears, are often going beyond the contractual requirements to assist families. Likewise, charities working in hotels are supporting families, often with limited short-term funding, bridging gaps in statutory service provision, exacerbated by inadequate data-sharing arrangements with the Home Office.

While the ICIBI has no specific role assuring safeguarding practices, our inspections often report on safeguarding issues. In framing the scope of this inspection, I was clear that safeguarding concerns raised by stakeholders should be examined. This inspection has found a number of areas for the Home Office to improve on; however, it has not found evidence to support all of the concerns raised by NGOs. This is made clear in the report.

In conclusion, the challenges faced by families and those involved in supporting them in Northern Ireland are no more problematic than those in any other parts of the UK's contingency asylum accommodation estate. The Home Office needs to improve its assurance activity to ensure that contractors are delivering what they are required to in terms of safeguarding families with children.



The report makes five recommendations, including the clarification of responsibilities of all agencies involved in safeguarding, ensuring the views of children and young people inform service delivery, a review of the AIRE contract, improved data quality and recording, and strengthened assurance arrangements.

The report was sent to the Home Secretary on 8 August 2023.

A handwritten signature in black ink, appearing to read 'D. Neal', with a horizontal line underneath the signature.

David Neal

Independent Chief Inspector of Borders and Immigration

# 1. Key findings

## Key concerns

- 1.1** The length of time that asylum-seeking families are having to spend in hotels in Northern Ireland was a key concern of stakeholders and families. As of 28 May 2023, the average length of stay was 201 days, but many families who met with inspectors had been there for over 12 months. Contingency accommodation should be just that, an interim measure for initial accommodation until longer-term dispersal accommodation becomes available. Stakeholders contributing to this inspection and the Home Office were in agreement that hotels should only be used to accommodate families for a short period of time.
- 1.2** Northern Ireland statutory services responsible for health, social care, and education reported serious concerns about their ability to meet the complex social, physical, and mental health needs of families accommodated in hotels. These needs become more extreme and increasingly difficult to resolve with the passage of time and this is exacerbated by a lack of funding for the additional demands on services, budget cuts, and staff burnout. As a result, there was inconsistent provision of these wraparound services across accommodation sites leading to vulnerable families falling through the gaps, despite the best efforts of professionals supporting them. Northern Ireland statutory services also referred to a lack of clarity regarding the layers of responsibility and reporting mechanisms between the various agencies, the Home Office, and the accommodation provider.
- 1.3** Some families confirmed that they experienced negative attitudes and a lack of respect from some staff working in hotels.
- 1.4** Food provision was consistently raised as an issue in terms of the quality of food and claims by families that it was not culturally appropriate. This concern was supported by health professionals, who reported incidences of young children losing weight as they would not eat the unfamiliar food provided.
- 1.5** Non-governmental organisations supporting asylum seekers in hotels expressed concerns about bedrooms being accessed by staff without notice, and families separated across floors, although this was not something that families raised with inspectors.
- 1.6** Families were generally positive about the support that they received from welfare support staff in hotels. Inspectors found that these staff regularly go beyond the signposting role required by the contract governing these services. However, there is an inconsistent level of service, including hours of availability onsite. A large proportion of potential safeguarding incidents arise when welfare support staff are not present onsite, and hotel staff feel exposed as they have not received the same level of safeguarding-related training.
- 1.7** Another concern of stakeholders supporting families was the lack of child-friendly materials available, particularly around how to raise a concern and the safeguarding support available. Inspectors found no evidence of such materials and so there was a missed opportunity to

provide an avenue for children and young people living in contingency accommodation to report any safeguarding issues independently and confidentially. Moreover, children and young people were not routinely asked for their views and experiences more generally.

## Asylum accommodation support services contract and asylum support contracts safeguarding framework

- 1.8** The Asylum Accommodation and Support Contract ('the contract') offers providers little direction on how to discharge their safeguarding responsibilities, other than requiring providers to involve police, health, and local authorities where risk is known or arises. Furthermore, the safeguarding content in the contract has not been revised to reflect the longer time periods families are now spending in initial accommodation or the growing use of hotels as a form of contingency accommodation.
- 1.9** Inspectors found evidence that providers are not adhering to all safeguarding-related requirements contained in the contract. In particular, some staff employed by at least one hotel had not undergone any safeguarding-related checks at the time of the inspection. In any case, it is not clear that the basic level of AccessNI check that staff in other hotels undergo is sufficient to meet the requirements of the contract given the frequency and closeness of contact hotel staff have with children and vulnerable adults.
- 1.10** Since May 2022, the requirements of the contract have been supplemented by an 'Asylum support contracts safeguarding framework' that offers providers and other agencies a fuller delineation of expectations in relation to safeguarding.
- 1.11** There is some evidence that the framework has acted to drive provider behaviour in producing safeguarding policies and standard operating procedures (SOPs), improving staffing levels, and developing staff training. However, there appears to have been a significant delay between the introduction of the framework and the implementation of some of its requirements. For example, at the time of the inspection, the framework's staff training requirements had not been met.
- 1.12** Furthermore, there is an absence in some cases of any plans to meet certain training requirements contained in the framework. Hotel staff do not receive the more detailed training packages that the framework identifies as necessary "for those with regular face to face contact with Service Users".<sup>1</sup> Inspectors were not told of any intention to roll out such detailed training to hotel staff.
- 1.13** Moreover, inspectors noted the lack of clarity about assurance and governance arrangements in place to oversee provider delivery against the safeguarding framework. Inspectors concluded that any deficiencies in delivering the substantive requirements of the framework are likely to be accentuated by a lack of clear and consistent reporting and monitoring arrangements.

## Advice, issue reporting, and eligibility contract

- 1.14** Service users accessing Migrant Help from contingency accommodation in Northern Ireland reported acute dissatisfaction with the service. This feeling was shared by a range of other agencies, including Mears.

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<sup>1</sup> Home Office, 'Asylum support contracts safeguarding framework' (published 9 May 2022), <https://www.gov.uk/government/publications/asylum-support-contracts-safeguarding-framework/asylum-support-contracts-safeguarding-framework>

- 1.15** As in many areas of provision in contingency accommodation, there is a sense that services provided by Migrant Help have not adapted in response to rapid and significant changes, such as the increasing use of hotels and the growing length of time families spend in them. Inspectors found that Migrant Help is consistently bypassed as a complaint resolution service in contingency accommodation, which increases the strain upon other services and frustrates service users. This raises questions about whether Migrant Help is providing an effective service that offers value for money in contingency accommodation in Northern Ireland.<sup>2</sup>
- 1.16** Inspectors found that the absence of Migrant Help staff in or near to contingency accommodation sites had inhibited the rapport-building that might make a service user feel more comfortable about disclosing information relevant to the service’s safeguarding responsibilities.<sup>3</sup>

## Sharing and reporting of safeguarding data and information

- 1.17** Inspectors noted that effectively collecting, recording, and sharing data regarding service users in contingency accommodation in Northern Ireland has proven challenging for the Home Office and other agencies involved. The complexity of needs faced by recently arrived families and the potential reticence of service users about sharing sensitive information contributes to this.
- 1.18** However, the array of agencies working in this field as well as the complexities created by the distinction between reserved and devolved powers and the lack of a regional strategic migration partnership aggravate the problem.
- 1.19** Despite hotels first being used to house asylum seekers in Northern Ireland in June 2021, a data-sharing protocol between the Home Office and local statutory agencies had only recently been completed at the time of this inspection. In the absence of such a protocol, statutory agencies in Northern Ireland have felt unable to effectively plan their work and to understand the composition and needs of recently arrived families requiring their services. Furthermore, the protracted negotiations intended to produce the protocol appear to have led to a degree of tension among interested agencies.<sup>4</sup>
- 1.20** Despite a protocol now being agreed, there remain unresolved questions about whether service user consent is required for onward sharing of personal data, what proportion of contingency accommodation residents are likely to withhold consent, and what impact any withholding of consent will have upon the ability of statutory agencies to discharge their safeguarding responsibilities and provide services.
- 1.21** More importantly, the piecemeal arrangements relied upon in the absence of such an agreement were a cause of frustration to the agencies involved. A public service ombudsman told inspectors that the lack of clear data and data-sharing arrangements was a common underlying source of complaints and disputes. Nevertheless, the recent agreement of a protocol does suggest that clearer data-sharing processes can be arrived at in the near future.

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<sup>2</sup> The Home Office, in its factual accuracy response, stated the AIRE service was designed primarily to resolve matters that can’t readily be resolved onsite by Mears staff.

<sup>3</sup> The Home Office, in its factual accuracy response, stated the AIRE contract 3.4.2 states: “The Provider shall maintain staff in, or near to, Initial Accommodation sites during working hours (within the office accommodation provided by the relevant AASC Provider) to provide face-to-face information and assistance with the completion and submission of Section 95 support applications, where required, to Service Users resident in Initial Accommodation.”

<sup>4</sup> The Home Office, in its factual accuracy response, stated the protocol is concerned with the safe sharing of official sensitive statistical information; it is not concerned with any demand for sharing of personal data.

## Home Office governance and assurance for safeguarding

- 1.22** The safeguarding framework fills the safeguarding void in the accommodation contract by setting out specific standards required, but the Home Office's existing contract management and service delivery mechanisms do not provide assurance that these standards are being met. There are no key performance indicators relating to safeguarding requirements in the contract, such as training and checking of staff or ensuring that adaptations are made for vulnerable or at-risk service users. Safeguarding was also not considered as a separate standing item in contract management meetings as required by the framework.
- 1.23** The inspections by the Contract Assurance Team do not provide sufficient assurance about safeguarding provision. Neither do they provide any significant assurance in respect of compliance with health and safety obligations. Visits by senior Home Office officials in October 2022, to consider stakeholders concerns, also did not result in any tangible outcomes or improvements.
- 1.24** Customer experience surveys, which accommodation providers are required to undertake, provide a further opportunity for families to share their concerns, including those relating to safeguarding matters. However, the take-up is extremely low, rendering any analysis of trends of limited value, as recognised by the Home Office. Moreover, there are no efforts to capture the experience of children and young people, who could well have significant issues to disclose relating to their health and wellbeing, in particular those who might be at risk of exploitation or grooming.
- 1.25** Notably, work is still ongoing to address the concerns identified by the ICIBI's previous contingency asylum accommodation inspection in 2021 relating to systems for recording and monitoring safeguarding incidents, with the Home Office unable to provide inspectors with data on safeguarding referrals made to statutory agencies.

## 2. Recommendations

### Recommendation 1 – Safeguarding responsibilities

The Home Office should clarify the respective safeguarding responsibilities of all agencies, including contractors and subcontractors, involved in supporting asylum-seeking families with children in contingency accommodation and communicate this to stakeholders.

### Recommendation 2 – Capturing the views and concerns of children and young people

The Home Office should work with contractors providing accommodation, and advice, issue reporting and eligibility services, to:

- a. produce child-friendly materials informing them how to raise safeguarding issues confidentially
- b. ensure routine capture of the views and concerns of children and young people to identify improvements required to better safeguard and protect their health and wellbeing.

### Recommendation 3 – Advice, Issue Reporting and Eligibility (AIRE) contract

The Home Office should review the effectiveness of the Advice, Issue Reporting and Eligibility (AIRE) contract, in particular the processes for capture of complaints and feedback from those living in contingency asylum accommodation, to identify trends, improvements required, and good practice.

### Recommendation 4 – Assurance process for safeguarding standards

The Home Office should strengthen assurance and monitoring arrangements to ensure accommodation providers, and their contractors and subcontractors, are meeting all the standards set out in the 'Asylum support contracts safeguarding framework' (May 2022), as well as the respective contractual requirements.

### Recommendation 5 – Data quality, recording, and sharing

The Home Office should:

- a. address weaknesses in systems for recording and monitoring safeguarding incidents, including referrals, as identified by the ICIBI's previous contingency asylum accommodation inspection in 2021

- b. review the quality and completeness of data collected regarding the vulnerabilities and needs of families in contingency accommodation
- c. ensure that appropriate data-sharing arrangements are in place between the Home Office, Mears, statutory agencies, and other organisations as necessary to allow all agencies to identify, respond to, and manage safeguarding risks and service users' complex needs.

## 3. Background

### Introduction

- 3.1** In December 2022, lead officials from the Northern Ireland Executive Office (TEO) and the Department of Health for Northern Ireland (DoHNI) wrote to the Home Office asking for an independent safeguarding review of hotels used to accommodate asylum-seeking families. This was following concerns raised by the Safeguarding Board for Northern Ireland (SBNI), devolved administration officials, and third sector organisations. The Home Office responded positively to this request and asked the Independent Chief Inspector to include an inspection of these hotels in his inspection plan for 2023/2024. In May 2023, the Independent Chief Inspector notified the Home Office of his intention to inspect the use of contingency asylum accommodation for families with children in Northern Ireland.
- 3.2** At the time of the inspection, families with children placed in contingency accommodation in Northern Ireland were housed in six hotels and one apartment block of self-contained flats.

### Asylum support contracts

- 3.3** The Home Office has a statutory duty under section 95 of the Immigration and Asylum Act 1999 to provide accommodation and support to asylum seekers who would otherwise be destitute.<sup>5</sup> The Home Office outsources this service through its Asylum Accommodation and Support Contracts (AASCs). Mears, the accommodation provider, has the contract for Northern Ireland (as well as the north-east of England, including Yorkshire and the Humber, and Scotland). The contracts, which were awarded in 2019 for a ten-year period, cover all aspects of initial and dispersal accommodation and associated support for essential living needs.<sup>6</sup> Initial accommodation includes contingency asylum accommodation, including hotels, but the use of which was not envisaged when the contracts were let.
- 3.4** A separate contract, Advice, Issue Reporting and Eligibility (AIRE), covers the provision of impartial and independent information, advice, guidance, and assistance to help service users understand and navigate the asylum support system effectively. The charity Migrant Help was awarded this contract in 2019 and it runs for a ten-year period.
- 3.5** The 'Asylum support contracts safeguarding framework' ('the framework'), published in May 2022, sets out how the Home Office, together with its commissioned providers, will ensure

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<sup>5</sup> Section 95 of the Immigration and Asylum Act 1999 enables the Secretary of State to provide, or arrange for the provision of, support for asylum seekers or dependants of asylum seekers who appear to be destitute or are likely to become destitute within a prescribed period set out in the Asylum Support Regulations 2000.

<sup>6</sup> Initial accommodation is housing that can be full-board, half-board, or self-catering. It is usually in a hostel-type environment or can be a hotel. Dispersal accommodation is longer-term temporary accommodation managed by accommodation providers on behalf of the Home Office. Asylum seekers will normally be able to stay in dispersal accommodation until their asylum claim has been fully determined. Home Office, 'Living in dispersal accommodation – English (updated 25 May 2023), <https://www.gov.uk/government/publications/living-in-asylum-accommodation/living-in-dispersal-accommodation-english>



that procedures and processes are in place to protect the safety and wellbeing of those being accommodated.<sup>7</sup>

- 3.6** Both the AASC and AIRE contracts use the term ‘service users’ to describe asylum seekers housed in asylum accommodation, and this term is used in this report.

## Safeguarding children in Northern Ireland

- 3.7** The Safeguarding Board for Northern Ireland (SBNI) was established in 2012. It is the key statutory mechanism for agreeing how relevant partners in statutory, community, and voluntary sectors co-operate and work together to safeguard and promote the welfare of children and young people in Northern Ireland. The SBNI also ensures the effectiveness of what the partners do to protect children and young people.
- 3.8** TEO, through the DoHNI, has responsibility for the child protection system in Northern Ireland. It sets out policy, legislation, and statutory guidance on how the child protection system should work and receives reports from the SBNI about what partner organisations are doing to keep children and young people safe.
- 3.9** The SBNI is required to undertake a formal inquiry, known as a case management review, when a child has died or come to serious harm following abuse or neglect, to ensure lessons are learned.<sup>8</sup> At the time of this inspection, there had been no instances requiring such a review involving a child living with their family in contingency accommodation in Northern Ireland.

## Current trends

- 3.10** As with other regions of the UK, the number of people seeking asylum in Northern Ireland has increased significantly in recent years. This has led to a sharp rise in the number of people requiring accommodation and support while their asylum claims are considered.
- 3.11** In the three years from 31 December 2019 to 31 December 2022, the total number of asylum seekers in receipt of statutory support across the UK increased from approximately 51,000 to 110,000 (an increase of 120%). In this same period the supported asylum population in Northern Ireland increased from 960 to 3,103 (an increase of 223%). Asylum seekers in Northern Ireland mainly arrive via Belfast airports or from across the border with the Republic of Ireland.
- 3.12** As Figure 1 shows, the proportion of asylum claimants in Northern Ireland forming part of a family group remained fairly stable from 2019 to 2022, at just over one-third of all claimants. It has since dropped to 22.6% in January to April 2023.

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<sup>7</sup> Home Office, ‘Asylum support contracts safeguarding framework’ (published 9 May 2022), <https://www.gov.uk/government/publications/asylum-support-contracts-safeguarding-framework/asylum-support-contracts-safeguarding-framework>

<sup>8</sup> Section 3(4) of the Safeguarding Board (NI) Act 2011 requires the SBNI to undertake reviews when a child has died or been significantly harmed where there are concerns about the effectiveness in safeguarding and promoting the welfare of the child.

**Figure 1: Total asylum claims, and asylum claims from people forming part of a family group, in Northern Ireland for each year 2019 to 2022**

Year	Asylum claims	Asylum claims from people forming part of family groups	Percentage of asylum claimants forming part of family units
2019	695	260	37.6%
2020	746	269	36.1%
2021	1,906	647	33.9%
2022	2,451	913	37.3%
2023 (to 30 April)	496	112	22.6%

**3.13** The use of hotels in Northern Ireland did not commence until June 2021, much later than the other regions of the UK. This followed a large increase in asylum claims. The number accommodated in hotels in Northern Ireland reached a peak in November 2022 at 1,200, and has since declined. At the beginning of June 2023, there were 990 asylum seekers housed in contingency accommodation in 20 hotels and two apartment blocks, six of these hotels having opened since May 2022. Of these sites, six hotels and one apartment block housed asylum-seeking families with children as of June 2023.

**3.14** Asylum seekers in contingency accommodation made up almost half of the total accommodated asylum population on 1 January 2022, and this decreased in the following 12 months (see Figure 2).

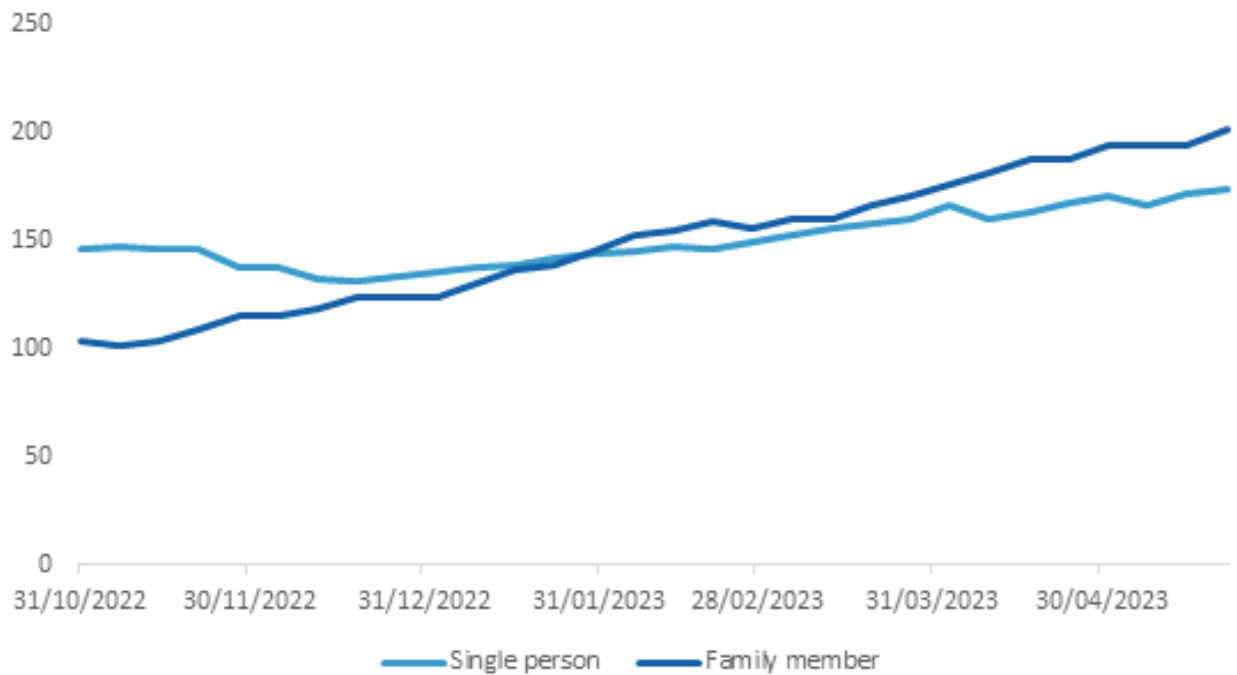
**Figure 2: Number of asylum seekers resident in contingency accommodation and dispersal accommodation in Northern Ireland on 1 January in each year from 2019 to 2023**

Year	People in contingency accommodation (percentage in brackets)	People in dispersal accommodation (percentage in brackets)	Total
2019	23 (2.4%)	925 (97.6%)	948
2020	95 (8.8%)	987 (91.2%)	1,082
2021	209 (18.4%)	929 (81.6%)	1,138
2022	927 (46.4%)	1,071 (53.6%)	1,998
2023	1,228 (41.8%)	1,707 (58.2%)	2,935

**3.15** The average time families spend in contingency accommodation in Northern Ireland has increased steadily since November 2022. By February 2023, this period began to surpass the time spent by single people in that type of accommodation (Figure 3). As of 28 May 2023, the average length of time families had been in contingency accommodation was 201 days. By contrast, prior to the COVID-19 pandemic, asylum seekers were typically moved to dispersal accommodation in around three to four weeks.<sup>9</sup>

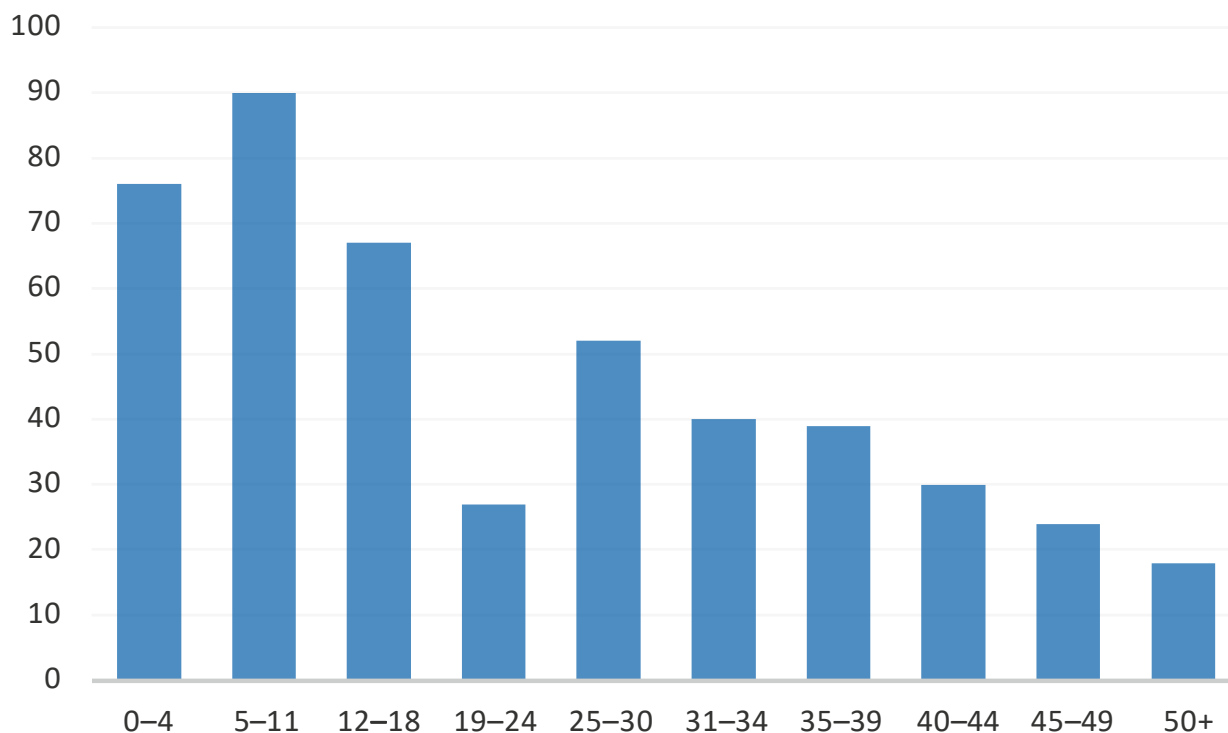
<sup>9</sup> ICIBI, 'An inspection of contingency asylum accommodation' (published 12 May 2022), <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation>

**Figure 3: Average number of days spent by single people and by members of family groups in contingency accommodation in Northern Ireland, October 2022 to May 2023**



- 3.16** As of 27 April 2023, 275 (59%) of the family members in contingency accommodation in Northern Ireland were female, compared with 188 (41%) males.
- 3.17** Of those individuals in family groups, 225 (50.3%) were children or young people aged 18 or under, with 76 of those children (16.4% of the total population) being pre-school age, spending much of the day in the hotel. Primary school age children (5–11 years) make up the largest group of children (19.4% – 91 children) and 12–18-year-olds comprise 14.5% of the total population in contingency accommodation (67 children and young people), as shown in Figure 4.

**Figure 4: Number of people forming part of family groups present in contingency accommodation in Northern Ireland on 27 April 2023, broken down by age**



**3.18** The top three nationalities of those in family groups in contingency accommodation in Northern Ireland are Eritreans, Sudanese and Syrians (see Figure 5).

**Figure 5: Number of people forming part of family groups present in contingency accommodation in Northern Ireland on 27 April 2023, broken down by country of origin**

Country of origin	Total	Percentage
Eritrea	95	20.5%
Sudan	82	17.7%
Syria	59	12.7%
Iran	51	11.0%
Somalia	33	7.1%
Other	137	29.7%
Not recorded <sup>10</sup>	6	1.3%
<b>Total</b>	<b>463</b>	<b>100%</b>

<sup>10</sup> The Home Office did not provide an explanation for why these were not recorded.

## Previous inspections

- 3.19** The ICIBI conducted ‘An inspection of contingency asylum accommodation’ between May and November 2021. As part of that inspection, inspectors visited 26 hotels across the UK, including two in Northern Ireland, neither of which were being used for families in June 2023.<sup>11</sup> The inspection made several recommendations relevant to this one, including:
- a review of AASC contracts, including key performance indicators
  - development of realistic plans to end use of hotels for contingency asylum accommodation
  - implementation of a system to record details of safeguarding issues identified and the outcome, and
  - more effective scrutiny of service provider performance and delivery data
- 3.20** The Home Office accepted all of the recommendations at the time of its publication of the report in May 2022.
- 3.21** The ICIBI also conducted ‘An inspection of the use of hotels for housing unaccompanied asylum-seeking children’ between March and May 2022. This inspection found areas of significant concern, including:
- two cases of staff who had not been Disclosure and Barring Service checked residing at hotels
  - Home Office practices and procedures not representing a child-centred approach that fully acknowledged and provided for the safeguarding and wellbeing needs of the young people
  - inconsistent and ineffective oversight by the Home Office of contractor activity and guidance
  - processes and policies slowly being developed, leading to clear shortcomings in the provision of key services for these children
- 3.22** The Home Office accepted one recommendation and partially accepted the other three. The time-bound nature of the recommendations appeared to be the barrier to full acceptance.

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<sup>11</sup> ICIBI, ‘An inspection of contingency asylum accommodation’ (published 12 May 2022), <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation>

## 4. Scope and methodology

**4.1** This inspection of contingency asylum accommodation for families with children in Northern Ireland focused on:

- a. key safeguarding concerns
- b. provider compliance with requirements of the contract and supporting guidance and standards relating to safeguarding
- c. sharing and reporting of safeguarding data and information
- d. Home Office governance and assurance processes for safeguarding.

The inspection also considered progress on the implementation of relevant recommendations from the 2021 ICIBI inspection of contingency asylum accommodation.

**4.2** Inspectors undertook the following activities:

- reviewed open-source material, including published reports
- held a familiarisation call with the Northern Ireland Executive Office and the Department of Health Northern Ireland on 4 May 2023
- held a familiarisation meeting with the Home Office on 11 May 2023
- requested documentary evidence and data from the Home Office and analysed the returns
- visited the seven sites in Northern Ireland used for contingency asylum accommodation for families with children, speaking with over 50 service users
- held in-person interviews with accommodation provider staff/managers and hotel staff/managers
- conducted stakeholder engagement with Northern Ireland agencies and non-governmental organisations through a mix of in-person and virtual interviews (via Microsoft Teams)
- undertook virtual interviews with Home Office staff from service delivery, commercial team/contract management, assurance team, and UK Visas and Immigration (UKVI) safeguarding hub
- undertook in-person interviews with accommodation and support services senior managers
- held a verbal feedback session on 13 June 2023 with Home Office senior management, sharing initial thoughts and indicative findings from onsite activity

## 5. Inspection findings: key concerns

### Introduction

- 5.1** Inspectors visited all seven contingency accommodation sites used for asylum-seeking families with children in Northern Ireland in June 2023. During these visits, inspectors spoke to a range of stakeholders, representatives of non-governmental organisations (NGOs), Northern Ireland statutory and public agencies, and contractor and service provider staff. Stakeholders highlighted a range of safeguarding issues to inspectors. The key concerns are outlined in this chapter, alongside onsite observations.
- 5.2** During the visits, inspectors spoke to over 50 service users, which represented over 10% of the family members in contingency accommodation at that time. While this figure represents a small proportion of the overall number, the views expressed were candid and consistent.

### Suitability of contingency accommodation and service user experience

#### Length of time (impact on health and wellbeing)

- 5.3** A significant concern of NGOs and service users was the length of time families with children spent in contingency accommodation, with adverse impacts on health and wellbeing. Stakeholders reported families being placed under strain due to the restricted living space and the lack of structure or stimulation for children and young people.
- 5.4** Inspectors spoke to families who had been resident in contingency accommodation for periods ranging from one month to over 12 months. The impact on general wellbeing and levels of anxiety for adults and children living in the hotels was evident. This was particularly acute for those accommodated over longer periods of time and those with existing mental health conditions and physical disabilities.
- 5.5** One service user explained that their baby's mobility had regressed since arriving at a hotel, due to the child having insufficient space to crawl. Another told inspectors how her 12-year-old child had become more withdrawn and rarely left the hotel room.
- 5.6** A parent to children with mobility issues had seen a deterioration in their condition. The limited floor space in the hotel room made it difficult to move freely and to transfer the children in and out of their wheelchairs. There was no accessible shower, and the room was located on the first floor, which presented issues when the lift was temporarily out of order. Additionally, the children required medicine that could not be provided by the GP due to a lack of adequate refrigeration in the room to store it.
- 5.7** Stakeholders further reported a lack of access to shared spaces, including no play area for children or nearby public parks. However, inspectors found a mixed picture, with some

sites offering ample outdoor space whereas others were more limited. For those sites with restricted outdoor space, inspectors were informed of local parks in the vicinity, which service users reported visiting.

- 5.8** At one location a service provider told inspectors that service users were granted six months' free access to a local gym.

## Accommodation arrangements (separation of families)

- 5.9** NGOs raised concerns regarding the adequacy of accommodation for families. This included families being split across more than one room and on different floors, and inappropriate sharing of rooms by older children of different sexes within a family.
- 5.10** Inspectors found no evidence of families with young children being split across different floors, from those spoken to as part of the inspection. In one case, a mother with three children told inspectors that she had requested a separate room for two of her children (aged 10 and 12 years). However, this request was refused as her children were under the age of 16. The only instance inspectors observed of a family being separated involved an adult child and her mother, accommodated as part of a family group.
- 5.11** The Statement of Requirements (Schedule 2, Annex C) in the Asylum Accommodation and Support Contract (AASC) sets out the criteria for sharing rooms within contingency accommodation. While sleeping arrangements must always be appropriately sized for the number of occupants, the contract does allow for related children of different sexes, under 16, to share the same sleeping quarters where they are in contingency accommodation. The contract further states that the criteria is "subordinate to all relevant law", and where there is conflict, the relevant law shall prevail. Section 325 of the Housing Act 1985<sup>12</sup> states that a household may be considered to be overcrowded where two or more children, over the age of ten, and of opposite sexes, have to sleep in the same room. While it is not illegal for children over ten to share a room, it is not considered best practice.
- 5.12** Although inspectors found that accommodation providers appeared to be operating within the scope of the contract, it is unclear how relevant legislation applies to temporary accommodation arrangements. Additionally, where contingency accommodation is a hotel, the alternative would result in families with children being split across several rooms, which would, in itself, present safeguarding issues, particularly for single-parent families, further highlighting the inherent issues and unsuitability of contingency accommodation for families with children.

## Food provision

- 5.13** The provision of food was one of the most frequent concerns raised by service users. The Home Office provided inspectors with a position statement in May 2023, which explained that all service users receive three meals a day that meet all public health guidelines and standards. The AASC Statement of Requirements requires that these meals meet "appropriate nutritional standards" as well as the "dietary, cultural and religious needs of service users".
- 5.14** Hotels were generally meeting the prescribed guidelines, however, the lack of culturally appropriate food, in addition to families being unable to prepare and store their own food, were issues for families in most of the hotels visited. This was particularly problematic for

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<sup>12</sup> Housing Act 1985, Part X, <https://www.legislation.gov.uk/ukpga/1985/68/part/X>



young children unaccustomed to the food provided, leading to some refusing to eat. Health visitors from local health and social care trusts supporting families in the hotels reported that they were seeing cases of children losing weight as a result.

- 5.15** Some service users said that there was a lack of available snacks outside mealtimes. Inspectors found disparities, with some hotels offering 24/7 access to fruit, snacks, and soft drinks while others took a more restrictive approach. As a general rule, food was not permitted in hotel rooms, without agreed consent based on a medical need. This presented a particular problem for service users with young children requiring milk ahead of bedtime. Although there is no explicit reference to snacks in the AASC, it does require “adequate provisions” to be made available “for pregnant and nursing mothers, babies and young children for whom three daily meals may not be sufficient”.
- 5.16** Inspectors did note a more positive experience for service users in a self-contained contingency site offering separate kitchen and cooking facilities. Families were provided with a set weekly shopping list to choose from and appeared to have their needs met, with one family indicating their wish to remain at the site. However, this was in contrast to most service users in hotel accommodation, where access to food preparation was limited.

## Environment

- 5.17** NGOs reported a “restrictive and oppressive atmosphere” inside contingency accommodation sites, drawing particular attention to “signage and the presence of security staff”. Service users in one contingency accommodation site equated it to a prison, with security staff using their room number rather than their name when they were asked to sign out before leaving the hotel.
- 5.18** Inspectors did not observe any inappropriate signage during their visits to hotels. Families were free to leave hotels; however, they were expected to sign in and out on each occasion. Accommodation providers explained that they were required to send a daily list of hotel occupancy to the Home Office, which necessitated this.
- 5.19** Overall, service users considered staff to be helpful and welcoming. Welfare Support Officers (WSOs) based in each contingency site, and employed by Mears to induct new arrivals and provide welfare-based support, were particularly well regarded. However, there were reports of incivility and differences in treatment by a small number of staff employed at some of the hotels. Inspectors found that some service users, acting as translators or advocates for others with limited English, described being subject to adverse and hostile treatment by hotel staff.
- 5.20** NGO representatives told inspectors that some service users were in fear of leaving contingency accommodation due to language barriers, inadequate orientation, and fear of intimidation or attack. However, service users informed inspectors that they felt safe leaving the premises and no concerns about protests or hostility were raised by Mears or contingency accommodation staff. Conversely, one staff member reported that they had received donations of products and clothing for families from the local community.

## Access to information and the complaints process

- 5.21** Inspectors found that induction packs containing details of the complaints process were made available to service users in English, as well as the most commonly used languages.<sup>13</sup> Information regarding how to access Migrant Help was available in communal areas across most contingency accommodation sites. Service users could provide anonymous feedback, to the accommodation provider and the Home Office, about their experience in contingency accommodation by completion of a survey, accessed via a QR code, but with no apparent alternative if a person did not have a mobile phone. Inspectors found that while Mears and contingency accommodation staff directed service users to Migrant Help as part of their induction, the level of service provided by Migrant Help was widely regarded by service users as inadequate.
- 5.22** Although families who spoke to inspectors understood the complaints process and were prepared to use it, the level of service offered by Migrant Help acted as barrier to them doing so. Families expressed frustration at the long waiting times when attempting to report issues and, as a result, circumvented the process, preferring instead to liaise directly with Mears or contingency accommodation staff. Others with more complex needs reported that they had been passed back and forth between Migrant Help and Mears. Further detail regarding the Advice, Issue Reporting and Eligibility (AIRE) contract and the complaints process can be found in chapter 7.
- 5.23** As previously highlighted, inspectors were made aware of some service users acting as advocates for others as part of the complaints process. This raised questions about the effectiveness and accessibility of the complaints process, particularly for those with limited English. Furthermore, there was a strong sense among service users that they were not listened to, and while initial steps were taken to resolve complaints, these were not always followed through. This was particularly the case with complaints about the food provided.

## Access to information for children and young people

- 5.24** Inspectors found that young people living in contingency accommodation were not routinely asked for their views and concerns. Inspectors noted a lack of child-friendly material, with most information directed towards adults, including how to raise an issue or complaint and completion of the customer experience survey. As such, there was a missed opportunity to provide an avenue for children to report any safeguarding issues independently and confidentially.

## Health and safety

- 5.25** Inspectors found several health and safety issues across the various accommodation sites. These included a child receiving lacerations after placing their hand on a sharp metal mesh below a staircase handrail; children catching their fingers in self-closing doors; medicine stored in the same unlocked fridge as food in the main dining room; the absence of a window restrictor in a room at one hotel; large gas cylinders in the proximity of a shared outdoor seating area with prohibited smoking signs in English only; and an outdoor space for children, at one site, which had no fence or barrier to prevent children from entering a busy road.

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<sup>13</sup> The languages materials were found to be translated into were Albanian, Amharic, Arabic, French, Spanish, Kurdish Sorani, Pakistani Urdu, Pashto, Farsi, Chinese, Tigrinya, and Somali.

- 5.26** In most contingency accommodation sites, inspectors were met by security staff and asked to sign in upon entering. However, at one site inspectors were able to enter the hotel unchallenged, without any identification check and no evident sign-in system.

## Vetting and clearance of contingency accommodation staff

- 5.27** Stakeholders highlighted an ongoing concern around the appropriateness of checks on staff working in contingency accommodation and inspectors found inconsistent practices. Senior Mears staff informed inspectors that staff employed directly by Mears were cleared to an AccessNI<sup>14</sup> enhanced level and security staff were Security Industry Authority (SIA) licensed. However, one hotel manager informed inspectors that he had until recently been unaware of the requirement for security checks, with some staff still undergoing AccessNI checks at the time of the inspection. This was despite the hotel having been in operation as contingency accommodation since September 2022, raising serious questions about the robustness of Home Office assurance processes in ensuring appropriate checks are undertaken of contingency accommodation and subcontracted staff. The contractual requirements of the vetting and clearance process can be found in chapter 6.
- 5.28** Notably, the ICIBI's 2022 inspection of the use of hotels for housing unaccompanied asylum-seeking children found two cases of staff who had not been Disclosure and Barring Service<sup>15</sup> checked residing and working at hotels. Inspectors found no evidence that the Home Office has learned from this through implementation of a robust assurance process for the appropriate clearance of staff across the contingency accommodation estate.
- 5.29** Statutory agencies and NGOs also highlighted concerns around reports of security guards and hotel and cleaning staff accessing rooms without notice, which presented safeguarding risks. However, this was not an issue raised by service users with inspectors. Service users reported receiving advanced notice of cleaning schedules and access required to rooms. Contingency accommodation staff assured inspectors that service users' rooms were only accessed without consent in the event of an emergency.

## Child welfare and access to education

- 5.30** In Northern Ireland, education is not a local authority service; it is the responsibility of a national body, the Education Authority. Education services for those in contingency accommodation are offered through its Intercultural Education Service (IES), a support service for pupils and parents which assists schools in meeting the educational needs of asylum seekers and refugees as well as other target groups. A senior representative from the Education Authority explained that its staff have a daily presence in all contingency accommodation sites, which mainly involved assisting with registration of children in schools.
- 5.31** Services users spoke positively about school placements for primary-school-aged children, with most families being offered a place at a local school within a week of arriving at a contingency accommodation site. However, inspectors were told by a representative from the Education Authority that availability of education spaces varied depending on the location of

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<sup>14</sup> AccessNI is a branch in the Department of Justice in Northern Ireland. Its role is to process applications from members of the public requiring a criminal record check for employment purpose. It is the equivalent of the Disclosure and Barring Service in England and Wales. AccessNI issues three types of check; 'basic' for general employment purposes, 'standard' for SIA licences and professional occupations, and 'enhanced' for those working or volunteering with children or vulnerable adults. See 'About AccessNI', <https://www.justice-ni.gov.uk/articles/about-accessni>

<sup>15</sup> Disclosure and Barring Service checks in England and Wales are broadly equivalent to AccessNI checks in Northern Ireland.

the contingency accommodation site, and there were specific difficulties placing children with special educational needs.

- 5.32** There were good links with local charities and voluntary services such as Barnardo's, which prepared pre-school-aged children for schooling and offered parenting skills training for families. However, this was not available in all hotels and funding for this valued service was due to end in July 2023.
- 5.33** Stakeholders highlighted concerns around children who had not yet received a place in school. There was particular concern for pre-school and the 16-plus provision, which falls outside the age of compulsory education in Northern Ireland. Teenage girls were considered to be the group most at risk by stakeholders, in part due to the lack of educational provision outside the statutory education age and the safeguarding risks associated with that. Statutory agencies expressed unease around the potential for grooming, citing the case of two teenage girls who left a hotel with no money, yet returned with henna on their hands and their hair braided, having been to a stranger's house. These concerns, according to education professionals, were not exclusive to contingency accommodation and continued into dispersal accommodation.
- 5.34** A lack of information and data sharing was a clear source of frustration for statutory agencies trying to provide services to families in contingency accommodation. Stakeholders told inspectors about the lack of data relating to service users, and the need to rely instead on the families they encountered when visiting accommodation sites with "no single version of the truth". This led to a lack of confidence by the authorities in their ability "to know where children are at any one time" as well as which children were, and which children were not, in school. However, at the time of the inspection, a representative for the Education Authority explained that it was in the process of agreeing a data-sharing protocol between the Home Office and other public agencies.
- 5.35** Statutory authorities responsible for health, social care, and education told inspectors of their concerns about potential harm or abuse, with an increasing number of children presenting with autism and challenging behaviour creating a "pressure cooker situation". They highlighted the routine use of warning letters<sup>16</sup> by Mears and the Home Office to deal with such behaviour, an approach they considered "alien to us as professionals".
- 5.36** Statutory agencies felt that everything was "accommodation-led" and "all about the contract", with the Home Office's role simply to provide a "roof over heads". There was a perception and level of frustration by statutory agencies at "everything else being left to the Northern Ireland agencies to resolve, such as health and education". This included the practice of moving families without consultation with partner agencies, leading to the disruption of schooling and increased vulnerabilities for families and those undergoing or awaiting statutory assessments.
- 5.37** The 2021 inspection of contingency asylum accommodation found that the AASCs did not "make specific reference to providing access to education for service users in contingency accommodation, either by way of signposting to the local authority or to local schools".<sup>17</sup> This is in contrast with the situation regarding healthcare, where "ensuring that Service Users in need of care or medical treatment have access to appropriate healthcare" is a direct requirement.

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<sup>16</sup> The accommodation provider uses warning letters to notify service users of a breach of the rules of the contingency accommodation. These letters specify what anti-social or other behaviour is alleged and there is a process of escalation with up to three warning letters being issued. Following a final warning letter or dependent upon the seriousness of an incident, a matter can be referred directly to the Home Office. All warning letters are sent by the provider to AIRE (service delivery centre) and the Home Office, along with an incident report.

<sup>17</sup> ICIBI, 'An inspection of contingency asylum accommodation' (published 12 May 2022), <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation>

**5.38** The Education Authority told inspectors that it was in the process of taking legal advice as to whether to “pull their support” to families in hotels, due to the lack of funding and subsequent inability to meet their statutory responsibility. They also shared how staff were at a “burn out point” due to the funding constraints in Northern Ireland and the subsequent resourcing crisis, exacerbated by the increase in the numbers of asylum seekers needing support.

## Access to GP services and other healthcare provision

**5.39** In its position statement, the Home Office outlined the role of the Northern Ireland New Entrants Service (NINES) in triaging the contingency asylum population for health screening and GP registration, with Mears staff supporting all service users in completing GP registration.

**5.40** NINES is a nurse-led family help service funded by the Public Health Agency. It is offered to service users in all contingency accommodation sites and brings together various health and social care partners to support families. However, over the last few years it has seen a sharp increase in referrals, due to the rise in asylum seekers accommodated in Northern Ireland, with no additional funding. As a result, waiting lists for the service have grown as NINES struggles to meet demand.

**5.41** Statutory agencies reported GP services as “overwhelmed”, with some GPs unable to take on additional registrations. The inability to register with a GP restricts access to other healthcare services and onward referrals for further interventions and treatment for conditions such as post-traumatic stress disorder, anxiety, and depression. In response to this, the Home Office escalated NINES referral backlogs to Health and Social Care Northern Ireland (HSCNI), which issued communications to all GPs advising them of their obligation to provide access to primary healthcare for service users.<sup>18</sup>

**5.42** NGOs had previously raised concerns regarding children and families in contingency accommodation not being registered with a GP and without access to primary healthcare. Pregnant women, post-partum mothers, and vulnerable infants were highlighted as a specific concern, due to a lack of awareness of their entitlement to services and resources.

**5.43** However, inspectors found that most service users they spoke to as part of the inspection were registered with a GP, although many had complex needs and were awaiting further assessments for additional support. Inspectors were provided with access to a joint risk register between Mears and UKVI dated May 2023, which referred to an ongoing review of available support and resource packs for new parents and the prioritisation of pregnant and post-partum service users for dispersal accommodation.

**5.44** Local health and social care trusts highlighted their concerns to inspectors regarding a lack of data sharing from the Home Office and its contractors. They described the system as “not connected well enough” with insufficient involvement of the trusts, and various departments, agencies, and local authorities working in the same area. This is covered in more detail in chapter 8.

**5.45** Similarly, the statutory agencies for health and social care and education services in Northern Ireland reported the absence of a common understanding between them, leading to a gap in “family support type interventions”. They referenced the lack of clarity regarding the layers of

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<sup>18</sup> Health and Social Care NI is the publicly funded healthcare system in Northern Ireland. Although it was created separately to the NHS, it is nonetheless considered a part of the overall national health service in the UK. In England, Scotland and Wales, the National Health Service (NHS) provides health care services while local councils provide social care services. In Northern Ireland, these services are combined under what is known as Health and Social Care (HSC).

responsibility and reporting mechanisms between the various agencies, the Home Office, and the accommodation provider. They further highlighted the need for a professional key worker system and better co-ordinated multi-agency working for families in need of health and social care inputs.<sup>19</sup>

- 5.46** Although Mears Welfare Support Officers (WSOs) were acknowledged for carrying out initial safeguarding screening, statutory agencies felt this was very limited and highlighted the need for a more robust process. Conversely, Mears staff said statutory agencies were not meeting their obligations to families, resulting in WSOs adopting a de facto key worker role to fill the void. As a result, WSOs indicated the need for a higher level of training given their additional responsibilities. They currently receive Level 2 Safeguarding training and a package of additional training.

## Safeguarding referrals data

- 5.47** The previous 2021 contingency asylum accommodation inspection made a recommendation to the Home Office to “implement a system to record details of safeguarding issues identified in contingency asylum accommodation, including the accommodation site, issue of concern, and outcome”. In response, the Home Office agreed to enhance its IT systems to “more effectively record safeguarding and vulnerability issues” and to “continue to focus further attention in this area”. Inspectors asked the Home Office, as part of this inspection, to provide data on the number of safeguarding referrals made in relation to individuals in contingency accommodation in Northern Ireland from November 2022 to April 2023, including a breakdown of which agency received the initial referral. The Home Office did not provide inspectors with the requested data and stated that it was “not available”.
- 5.48** A number of stakeholders told inspectors about anecdotal incidents relating to safeguarding. However, since no additional evidence or data was forthcoming by the Home Office, a complete picture of the key and thematic safeguarding concerns relating to families with children in contingency accommodation was unable to be established.

## Home Office response to safeguarding concerns

- 5.49** The key safeguarding concerns set out in this chapter are well known to the Home Office. It was as a result of stakeholders raising these concerns that the Home Office asked the ICIBI to undertake this inspection.
- 5.50** Inspectors were informed that a senior Home Office official undertook unannounced visits to contingency asylum hotels in Northern Ireland in October 2022, in conjunction with officials from the Northern Ireland Executive Office. In response to a request for details of subsequent actions taken by the Home Office, inspectors were told: “There were no recorded outcomes from these visits,” and “Home Office officials gained confidence in accommodation provision through in person visits; important connections were established between the Home Office and external partners in Northern Ireland. Additionally, the Home Office was able to outline communication processes and escalation procedures to these external partners.”
- 5.51** Inspectors also noted that the minutes of TEO’s Strategic Planning Group sub-group for Contingency Accommodation meeting,<sup>20</sup> on 16 May 2023, referred to the absence of an update

<sup>19</sup> A key worker system involves a practitioner allocated to a specific family or child to enable a close, secure and consistent professional relationship.

<sup>20</sup> TEO’s Strategic Planning Group sub-group for Contingency Accommodation is chaired by TEO and attended by other Northern Ireland government departments and other national agencies, such as the Police Service for Northern Ireland and SOLACE, a network for public sector professionals.



from the Home Office of actions taken following the unannounced visits to hotels. Inspectors concluded that this presented a missed opportunity for the Home Office to demonstrate to stakeholders and partners its commitment to addressing the safeguarding issues raised.

## Conclusion

- 5.52** Stakeholders highlighted a range of safeguarding concerns during this inspection, many of which existed at the time of the 2021 inspection, including checking and training of hotel staff, and the performance of Migrant Help. Along with length of stay, food provision was still a major source of discontent for families, symptomatic of the lack of independence and control over their daily lives. Ultimately, most contingency accommodation sites were unsuitable for families with children over a prolonged period, exacerbating existing physical and mental health conditions.
- 5.53** While access to education services for primary-school-aged children was positive, stakeholders were concerned at the limited provision for pre-school children and for those aged 16-plus, potentially exposing them to safeguarding issues. There was a similar picture for healthcare. Many asylum seekers reported being registered with a GP; however, additional support and wraparound care for those families with complex needs was not always available. Statutory agencies reported GP services becoming overwhelmed with new patients.
- 5.54** Issues with data sharing and the fragmented nature of support services clearly impacted on the ability of authorities to build a complete picture of the welfare needs of families and children in contingency accommodation. There was an equal sense of frustration by accommodation providers around the apparent inertia of statutory agencies to take the lead, with Mears staff operating beyond their role to fill the void. Agencies involved were keen for a professional key worker approach to provide holistic welfare and support but without the means to implement it.
- 5.55** Some concerns raised by stakeholders about conditions of the accommodation, such as families being split across different floors and unauthorised access to rooms, did not materialise during this inspection. However, the fact that a number of staff at one hotel had not had an AccessNI check highlighted serious issues around the potential safety of children and vulnerable adults. In addition, there was a missed opportunity to capture the views of children and young people in contingency accommodation and to promote a clear route for them to report safeguarding issues.

# 6. Inspection findings: safeguarding contractual requirements and standards

## Introduction

**6.1** The Asylum Accommodation and Support Contract ('the contract') sets out the terms and conditions for the provision of housing and support services for asylum seekers. The original contract, awarded in 2019, provided little in the way of guidance to providers about how to fulfil their safeguarding responsibilities. To address this, the Home Office introduced an 'Asylum support contracts safeguarding framework' ('the framework') in May 2022. This document supplements the requirements within the contract and outlines safeguarding 'standards'. The standards aim to offer providers direction in discharging their safeguarding responsibilities.

## Asylum Accommodation and Support Contract

**6.2** Schedule 25 of the contract outlines the requirements for the commissioned provider (Mears) in relation to safeguarding children and vulnerable adults. It is the responsibility of Mears to ensure its staff, volunteers, and subcontracted staff (who are likely to have direct contact with service users or their personal data) have been made aware of the requirement to have "regard to the need to safeguard and promote the welfare of children".

**6.3** The Statement of Requirements (Schedule 2, para 1.2.5) referenced within the contract require the provider to respond to the need of 'at risk' service users, and those with specific needs, "to assure their wellbeing". This duty includes, but is not limited to:

- providing accommodation, which is safe, habitable, and fit for purpose
- ensuring access to appropriate healthcare for service users in need of care or medical treatment
- operating in accordance with room-sharing and relocation guidelines
- referring service users at risk to relevant local authority teams
- liaising with local authorities to facilitate the transfer of service users in provider accommodation
- participating in multi-agency forums, as required, to support the safeguarding and wellbeing of service users with specific needs or at risk
- implementing appropriate inspection and reporting procedures to assure the safeguarding and wellbeing of service users with specific needs or at risk
- maintaining complete and auditable records demonstrating how the provider has considered and responded to the circumstances and needs of a service user with specific needs or at risk

**6.4** The Statement of Requirements outlines the requirement of the 'Authority' (the Home Office) to make referrals to local authority teams for care and support, where it is aware of a service



user with a particular need or risk. Alongside this referral, the Home Office is required to provide instructions to Mears outlining their requirements.

- 6.5** Mears has a further responsibility to ensure its staff have received safeguarding training and are appropriately vetted to ensure they can work with children or vulnerable adults. The onus is on Mears to ensure that an accurate record of such checks is maintained at all times in accordance with the contract.
- 6.6** Despite this, inspectors heard widespread concerns that hotel staff may not be subject to sufficient checks prior to working with children and vulnerable adults. A senior manager from Mears informed inspectors that all Mears staff working in contingency accommodation receive an AccessNI check (a background check equivalent to a Disclosure and Barring Service (DBS) check in Great Britain) at the 'enhanced' level, the most rigorous level of check. According to the AccessNI website, enhanced checks "are normally required where the applicant will work or volunteer in a role providing services to or having close and regular supervision of children or vulnerable adults".
- 6.7** However, staff directly employed by or subcontracted to hotels undergo at most a 'basic' AccessNI check, the lowest level of check available. A basic check would only include information about an unspent conviction and would not include spent convictions, warnings, cautions, or any other relevant information held by the police or DBS.<sup>21</sup>
- 6.8** Several stakeholders raised concerns with inspectors that a 'basic' check is insufficient for hotel staff. Similarly, representatives from the Education Authority expressed concern that a basic check does not indicate whether a person is on the list of those barred from working with children. A voluntary agency that works in some hotels and a human rights organisation that has worked with asylum seekers in contingency accommodation suggested that prior incidents between service users and hotel staff raised the possibility that staff were not receiving a sufficient level of pre-employment checking. The organisations noted that some staff had been "moved on" owing to their conduct in hotels or because they were found to have "discriminatory" beliefs. These organisations suggested that a higher level of check could help to identify at an earlier time people who were not suitable to work in contingency accommodation or who were attracted to the work "for the wrong reasons".<sup>22</sup>
- 6.9** The question of what level of check hotel staff should receive has been discussed at meetings of TEO's Strategic Planning Group sub-group for Contingency Accommodation. A representative of AccessNI informed the sub-group at its February 2023 meeting that mandating enhanced checks for all hotel staff might require legislative change and that this would be difficult to achieve while the Northern Ireland Assembly is dissolved. A senior manager at Mears further suggested to inspectors that even if hotels applied for an enhanced check for their staff, the checks simply would not be processed in the current legislative regime.
- 6.10** An insight into provider performance in these areas of the contract is outlined in chapter 5.

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21 AccessNI, 'Types of AccessNI checks', <https://www.nidirect.gov.uk/articles/types-accessni-checks>

22 The Home Office, in its factual accuracy response, stated that Mears was previously advised by AccessNI that the basic check was sufficient within current Northern Ireland legislation.

## Asylum support contracts safeguarding framework

- 6.11** Beyond checks on staff, the contract contains little content specifically concerning safeguarding requirements. In May 2022, the contracts were supplemented by an ‘Asylum support contracts safeguarding framework’ (‘the framework’) that “aims to give an outline of how the Home Office [...] will expect ourselves and our commissioned providers to ensure that procedures and processes are in place to ensure the safety and wellbeing of those we are accommodating”.<sup>23</sup> The framework has been signed by all AASC providers as well as Migrant Help.
- 6.12** The framework outlines four ‘safeguarding values’ that are said to underpin the work of all signatories. These are as follows:
- “**Prevent:** We aim to prevent harm through professional and responsible conduct and by taking swift and robust action.
- Protect:** We take a zero-tolerance approach to harm, abuse or exploitation of any kind. All of our decisions and actions prioritise the safety and well-being of those connected with our work.
- Personify:** We assume individual as well as organisational responsibility for safeguarding and ensure that all staff have training and guidance to be able to fulfil their obligations.
- Partner:** We maintain best practice through open, transparent dialogue with others, including the communities where people are placed. By listening to others and sharing best practice we ensure conduct is appropriate to context and the unique needs of those we are working with.”

## The framework’s safeguarding ‘standards’

- 6.13** The framework further identifies four ‘standards’, which together detail the way in which providers and the Home Office undertake safeguarding work. The standards cover the areas of policy and strategy, procedures, education and training, and implementation and monitoring.
- 6.14** In the area of policy and strategy, the framework outlines that providers should produce “[a] clear safeguarding policy or strategy document” that “creates a foundation for safeguarding work”. Furthermore, the framework stipulates that the strategy should be endorsed by the Home Office, shared and publicised, made mandatory reading for all staff, and reviewed annually and in response to major legislative and policy changes. The framework also requires that each provider assign a senior member of staff specific responsibility for safeguarding.
- 6.15** This overarching document, the framework suggests, should be supported by standard operating procedures (SOPs) that “provide clear, step-by step guidance on what staff members should do in different circumstances”. The framework requires that the SOPs clarify roles and responsibilities and processes for communication and data recording. There is an expectation that SOPs be compliant with the contract and with relevant legislation.
- 6.16** With respect to education and training, the safeguarding framework sets out the training provisions that all staff involved in the delivery of AASCs, and the AIRE contract, are expected to receive. These include training on the asylum and support systems, equality and diversity, data protection, and safeguarding. Staff with regular, face-to-face contact with service users,

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<sup>23</sup> Home Office, ‘Asylum support contracts safeguarding framework’, <https://www.gov.uk/government/publications/asylum-support-contracts-safeguarding-framework/asylum-support-contracts-safeguarding-framework>

meanwhile, are expected to receive training on diversity, cultural awareness, suicide and self-harm awareness and prevention, basic first aid, gender-based violence, fire safety, health and safety, vicarious trauma, unconscious bias, counter terrorism, modern slavery, and required housing standards.

- 6.17** To ensure delivery against a provider's safeguarding responsibilities, the safeguarding framework enshrines a series of implementation and monitoring mechanisms. This includes oversight by the provider's own safeguarding board, at contract management meetings, and through the Asylum Support Contracts Safeguarding Board and groups bringing together providers, local authorities, and other relevant agencies.

## Safeguarding procedure documents

- 6.18** A Mears senior manager informed inspectors that the provider had devised a safeguarding procedure document in 2019 when awarded the contract. This document was undergoing a review at the time of this inspection.
- 6.19** Inspectors noted that the procedure in fact comprised two complementary documents, one concerning the safeguarding of children and the other concerning the safeguarding of vulnerable adults. The documents appeared to be comprehensive, providing instructions for staff on how to deal with imminent and less urgent safeguarding risks as well as relevant contacts and definitions. These high-level documents are, as described in the safeguarding framework, supported by step-by-step SOPs concerning specific incident types.
- 6.20** As noted, these updated versions of the safeguarding procedure documents are presently being reviewed. The original versions were produced in 2019. This means that Mears had not, at the time of this inspection, completed a review of its safeguarding procedure documents in response to hotels coming into use as a form of contingency accommodation. This is despite hotels having been used for this purpose in Northern Ireland since June 2021 and the safeguarding framework's requirement that the safeguarding procedure document be revised in response to major policy changes. Similarly, inspectors were not informed of any changes to the SOPs, either individually or in general, prompted by the introduction of hotels as a form of contingency accommodation in Northern Ireland in 2021.
- 6.21** The lengthy gap between the introduction of hotels and the revision of Mears' safeguarding procedure documents appears to have created discomfort within other agencies. Member agencies of the Safeguarding Board of Northern Ireland (SBNI) reported to inspectors a sense of dissatisfaction that they have not seen any safeguarding procedure documents from Mears. A senior manager at Mears told inspectors that the revised procedure would be shared more widely, as required by the framework, following completion of a review being undertaken by the Home Office.
- 6.22** Mears was already meeting the framework's complementary requirement for a provider to nominate a senior staff member with responsibility for safeguarding at the time it was awarded the contract. However, inspectors were told that Mears appointed a Safeguarding Lead for Northern Ireland towards the end of 2022 subsequent to the introduction of the framework. There is therefore some evidence that the framework has driven Mears to strengthen its staffing arrangements around safeguarding.

## Education and training

- 6.23** With regard to implementation of the framework’s education and training requirements, inspectors observed significant differences between the training provided to Mears staff and to hotel staff. Mears staff undergo lengthy induction training that includes a safeguarding component. Thereafter, they receive Safeguarding Level 2 training.<sup>24</sup> A senior manager at Mears informed inspectors that Mears staff subsequently receive thematic training covering specific matters, such as vicarious trauma, de-escalation, domestic assault and gender-based violence, modern slavery, and suicide prevention and intervention. Inspectors reviewed the training material used in some of these offerings, which appeared comprehensive and interactive. A Mears senior manager told inspectors that Safeguarding Level 2 training is refreshed for Mears staff every two years, and this was confirmed by staff members. However, Mears was not able to confirm the number of its staff who had attended safeguarding and related training, or the percentage of those who had completed the training. Nevertheless, Mears Welfare Support Officers (WSOs) felt that their safeguarding training was refreshed with sufficient frequency.
- 6.24** Inspectors heard, however, that hotel staff (including both staff directly employed by a hotel and those engaged by a subcontractor) had a quite different level of training. At the time of the inspection, inspectors were informed that only 80% of hotel staff had received Safeguarding Level 2 training. Furthermore, at one large hotel visited by inspectors, this training had evidently been received by staff only very recently. Minutes of the April 2023 Contract Management Group (CMG) meeting suggest that Safeguarding Level 2 training was “rolled out” to hotel staff around that time as an “interim measure” and only in Northern Ireland.<sup>25</sup> Managers from both the Home Office and Mears informed inspectors that there was an intention to ensure all hotel staff had received Safeguarding Level 2 training by mid-July 2023.<sup>26</sup>
- 6.25** Even if this target is reached, hotel staff will potentially have been working closely with asylum-seeking families with children for an extended period of time without having had the training required by the safeguarding framework. Furthermore, inspectors noted that, particularly at smaller hotels, hotel staff have regular, face-to-face contact with service users, including children. Moreover, outside of the normal business hours in which Mears WSOs are present at hotels, hotel staff are likely to act as first responders to any safeguarding, welfare, or medical issue that occurs onsite. Inspectors noted that this “out of hours” period is lengthy and includes a large majority of the time for which school-aged children will be present in hotels. These considerations raise the question of whether hotel staff should be regarded as having regular, face-to-face contact with asylum seekers and therefore require the larger package of training outlined in the safeguarding framework.

## Implementation and monitoring

- 6.26** Given the potential for such uncertainties in the interpretation and implementation of the safeguarding framework, it is particularly important that the Home Office maintains a robust monitoring and assurance regime. As noted above, monthly contract management meetings – the CMG meeting and the more senior Strategic Review Management Board (SRMB) – are intended to offer forums in which safeguarding can be discussed.

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<sup>24</sup> Safeguarding Level 2 training is a training package designed for those who regularly work with children. It covers safeguarding principles and concept, safeguarding policies, legislation and guidance, multi-agency working, and best practice. The provision helps professionals to identify signs and symptoms of abuse, neglect, and complex needs.

<sup>25</sup> The Contract Management Group is attended by Home Office staff and representatives from the contractor Mears.

<sup>26</sup> The Home Office, in its factual accuracy response, stated that information was provided to the ICIBI that the target date for completing Safeguarding Level 2 training for hotel staff and security team is 14 July 2023 (post-inspection). This has now been completed and Mears have confirmed all staff are now trained.

- 6.27** Inspectors received the minutes of each CMG meeting between November 2022 and May 2023. No substantive discussion of safeguarding is minuted for any CMG meeting prior to April 2023. In April 2023, there is a discussion of AccessNI checks and Safeguarding Level 2 training that was evidently prompted by ‘scrutiny’ around safeguarding from the Northern Ireland Executive Office and by this inspection, which the Home Office had requested.
- 6.28** While a Mears senior manager suggested that a report on incidents is sent to the CMG each month, the minutes of those meetings seen by inspectors do not refer to receipt of any such report and do not reflect any discussion of any incidents.
- 6.29** Despite this, there was an understanding within the Home Office that safeguarding is discussed at the CMG meetings. A Home Office contract manager and a member of the Safeguarding Hub both suggested that this was the case. This belief appeared to arise from the fact that complaint handling forms part of a contractual key performance indicator (KPI) that is discussed at CMG meetings. However, as was acknowledged, complaints do not commonly feature a safeguarding element (and, equally, a safeguarding incident might not always generate a complaint).
- 6.30** A Home Office contract manager confirmed, meanwhile, that safeguarding “does not really” feature at SRMB meetings and that they had personally had little involvement with the safeguarding framework.
- 6.31** Nevertheless, a senior manager at Mears reported that training materials and guidance documents produced by their organisation are “reviewed quite thoroughly” by the Home Office. While this might be so, inspectors found uncertainty about how, where, and by whom routine monitoring and assurance of delivery against the safeguarding framework should be conducted. This uncertainty was perhaps best reflected by the suggestion of a Home Office manager that the department has no statutory safeguarding obligation beyond accommodating destitute asylum seekers. They therefore concluded that the department has no more safeguarding responsibility to service users than “the man in the street”.

## Conclusion

- 6.32** The asylum accommodation contracts give little attention to safeguarding and offer providers little direction on how to discharge their safeguarding responsibilities. Since May 2022, the contracts have been supplemented by a safeguarding framework that offers providers and other agencies a fuller delineation of expectations in relation to safeguarding. There is some evidence that the framework has acted to drive provider behaviour in producing safeguarding policies and SOPs, strengthening staffing arrangements, and developing staff training. However, there appears to have been a significant delay in some areas between the introduction of the framework and the implementation of its requirements with respect to, for example, staff training. At the time of the inspection, the framework’s staff training requirements had not been met and Mears was still in the process of revising its safeguarding procedures to reflect the introduction of hotels as contingency accommodation. Furthermore, any such deficiencies in delivering the substantive requirements of the framework are likely to be accentuated by the evident lack of clarity regarding arrangements for monitoring and assuring delivery against the framework.

# 7. Inspection findings: Advice, Issue Reporting and Eligibility (AIRE) contract

## Introduction

**7.1** The Home Office provides asylum seekers with a service to handle formal complaints under the Advice, Issue Reporting and Eligibility (AIRE) contract. Since 2019, the charitable organisation Migrant Help has provided this service. The AIRE contract describes the purpose of the service as “to provide impartial and independent information, advice, and guidance and assistance to help Service Users to understand and navigate the Asylum Support System” and further sets out an obligation for the service provider to “record, manage, and resolve Service User complaints”.

## Safeguarding in the AIRE contract

**7.2** The contract obligates the provider to comply with section 55 of the Borders, Citizenship and Immigration Act 2009<sup>27</sup> to safeguard children from harm and protect their welfare. There is a related requirement that the service provider’s staff receive safeguarding training.

**7.3** To help asylum seekers in accessing the service, the contract requires the provider to “understand the background and needs of Service Users” and help them to understand the services they can obtain under the AIRE contract.

**7.4** With respect to timescales, the contract requires that a complaint should be resolved within five days or, if this cannot be done, an explanation for the delay provided to the complainant within that timeframe.

**7.5** The ‘Migrant Help asylum services’ booklet, meanwhile, indicates that the service can help asylum seekers with issues related to mental and physical health, domestic violence, disability, and female genital mutilation. The previous inspection published in 2022<sup>28</sup> noted the ability of service users to raise with Migrant Help a “request for assistance” if concerned about their own wellbeing or safety or that of their child. Migrant Help’s website suggests that this service remains in operation.<sup>29</sup> However, no service user spoken to by inspectors in the course of this inspection mentioned having completed a request for assistance. A number of interviewees told inspectors that the complaints most commonly raised with Migrant Help concern food and maintenance issues.

## Awareness of service

**7.6** Migrant Help’s services in Northern Ireland are currently being offered by telephone and, in a recent innovation, by webchat. Migrant Help at one time had a physical presence in contingency accommodation in Northern Ireland, but this was discontinued owing to the

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<sup>27</sup> Borders, Citizenship and Immigration Act 2009, section 55, <https://www.legislation.gov.uk/ukpga/2009/11/section/55>

<sup>28</sup> ICIBI, ‘An inspection of contingency asylum accommodation’ (published 12 May 2022), p. 39, <https://www.gov.uk/government/publications/an-inspection-of-contingency-asylum-accommodation>

<sup>29</sup> Migrant Help, ‘Changes to contact methods’, <https://www.migranthehelpuk.org/news/changes-to-contact-methods>



greater dispersal of contingency accommodation throughout the country and the consequent inability of Migrant Help to effectively cover all sites.

- 7.7** Despite this lack of physical presence, inspectors found that there was a strong awareness of the services offered by Migrant Help among residents in all of the sites visited, as well as among other agencies involved with providing services to asylum seekers.
- 7.8** Signage in the lobbies of all contingency accommodation sites visited prominently featured references to, and contact details for, Migrant Help. Induction packs seen by inspectors included contact details for Migrant Help and a brief description of the services it provides. Additionally, a 'Migrant Help asylum services' booklet is included in the induction pack. The booklet provides contact details for Migrant Help and reassurance that a migrant's asylum claim will not be affected should he or she make a complaint. The induction pack used by Mears in Belfast, however, does rather confusingly contain three separate telephone numbers for the service and describes it at one point as a "Support Service for Victims of Slavery or Human Trafficking". Unlike the induction pack used in another location outside of Belfast, it does not include a webchat link for Migrant Help.
- 7.9** Nevertheless, as noted, asylum seekers demonstrated a strong awareness of Migrant Help. The service was mentioned spontaneously as a facility that could help with complaint resolution even by families who had not used the service. An advocacy group that escalates complaints on behalf of asylum seekers reported that most families it works with have already contacted Migrant Help.
- 7.10** Despite this high level of awareness about Migrant Help, inspectors did witness some evidence of possible confusion about the service's precise function and identity. One service user who had contacted Migrant Help did not understand how the service and Mears differed and how they worked together. Similarly, inspectors were approached while onsite at one hotel by a large number of families who believed they were from Migrant Help and who were very keen to share their concerns about the hotel. A Mears senior manager suggested that Migrant Help being present onsite would assist with educating service users about the distinction between, and function of, different services.

## Complaint handling

- 7.11** Still less encouragingly, inspectors found that those who had engaged with Migrant Help generally reported dissatisfaction with the service. Several asylum seekers complained about the long period of time they had to wait on the telephone before being connected to a member of Migrant Help staff; some reported waiting times of up to 90 minutes. Both a senior manager at Mears and a representative of an organisation responsible for reviewing complaints made against public bodies shared concerns about long waiting times experienced by users of Migrant Help. A Home Office contract manager and a senior manager within Migrant Help acknowledged that long waiting times had been a problem in the past, but suggested that this situation had improved. A Migrant Help senior manager informed inspectors that daily average waiting times could now be as low as seven minutes.
- 7.12** Those service users who had spoken to someone at Migrant Help, however, were generally unhappy with their experience. Five different service users told inspectors that they had raised complaints with Migrant Help but had not had their complaints resolved. The Migrant Help process was characterised as slow by several service users. One service user suggested that she had raised a complaint with Migrant Help two weeks prior to her conversation with inspectors,

but had received no update. Another service user suggested that she had been in contact with Migrant Help for several months (having had, at one point, weekly calls with the service) but her complaint had not yet been resolved. She also reported receiving no clear information about how and on what timescale her complaint was being progressed.

- 7.13** Further concerns were raised by the same resident about the apparent lack of data flow between Migrant Help and the Home Office. While Migrant Help claimed to have shared details of her complaint with the Home Office, the resident reported that the Home Office claimed to have no record of any such information. More positively, one Mears senior manager observed that the large volumes of complaints made to Migrant Help made the service's data a useful source of insight into general trends in complaints. However, other Mears managers reflected that the inconsistent quality of data collected by Migrant Help call handlers was nevertheless a concern.
- 7.14** Another service user who had raised a concern with Migrant Help complained that she had simply been referred by the service back to Mears. Concern about Migrant Help inappropriately re-routing complaints to Mears was shared by a senior manager within the organisation.
- 7.15** A negative impression of Migrant Help's effectiveness was therefore widely shared in Northern Ireland contingency accommodation. An advocacy group working in several hotels reported to inspectors that it discouraged service users from engaging with Migrant Help because it is "bureaucratic" and "ineffective". A senior manager at Mears suggested that she would rate the service's performance as "three out of ten". A representative of a public services ombudsman suggested that the service provided by Migrant Help lacks many features of an effective complaints process, such as transparency, reliability, efficiency, and a process of learning lessons from complaints. This interviewee noted that service users struggled to obtain a written record of their complaint and any actions taken in response, which frustrated efforts to escalate the complaint to other agencies.

## Remoteness of service

- 7.16** Particular regret was expressed by Mears senior managers regarding the discontinuation of Migrant Help's physical presence in contingency accommodation. One Mears manager considered that Migrant Help having a presence on the sites would help service users to understand the distinction between the two organisations. A senior manager from Migrant Help agreed that the lack of an onsite presence in contingency accommodation had harmed its service offering. They further suggested that the remote nature of service is likely to inhibit disclosures by service users that might enable safeguarding interventions. This may also discourage the building of a rapport between the service's staff and users, and prevent Migrant Help staff from identifying unreported issues. In the current circumstances, therefore, it is not clear that Migrant Help plays a significant role in safeguarding children or adults in contingency accommodation in Northern Ireland.
- 7.17** Inspectors noted that the generally negative impression held of Migrant Help by families contrasted with a largely favourable view of Mears' Welfare Support Officers (WSOs). When faced with a choice between contacting a remote service regarded as slow and ineffective and taking a complaint to a WSO with whom a service user is likely to have an established relationship, and who is immediately available onsite, it is unsurprising that most families wishing to raise an issue choose the latter option. A Mears senior manager told inspectors that WSOs' primary function is to signpost service users to relevant agencies and services. However, in practice, they assist with a wide variety of tasks, motivated to work outside of



their contractual duties by a desire to assist service users and maintain good relationships with them. The remote and apparently ineffective nature of the AIRE service is therefore placing additional strain on WSOs.

- 7.18** Addressing the factors apparently inhibiting the service’s performance, a Migrant Help senior manager noted that the number of people in contingency accommodation in Northern Ireland had increased rapidly and unexpectedly. Moreover, extensive use of hotels, and residents remaining in hotels for extended periods of time, had not been envisaged when the AIRE contract was procured. This manager suggested that Migrant Help was being contacted with many complaints regarding the overall quality or suitability of accommodation as well as the length of time for which families were staying in hotels. These are not issues that Migrant Help is well placed to address. Despite this, inspectors saw a standard letter issued by Mears to an advocacy group working on behalf of a family suggesting that the family contact Migrant Help “to help escalate their case” as a means of addressing concerns regarding their length of stay in contingency accommodation.
- 7.19** A representative of a public services ombudsman likewise suggested that Migrant Help was faced with many complaints about difficulties experienced by families in accessing statutory services in a timely fashion or at all. Migrant Help can do little to resolve such complaints.
- 7.20** A Home Office contract manager suggested that the Migrant Help model works much more effectively in dispersed accommodation. In that environment, families are likely to be better integrated into a locality and to have more control over, for instance, their diet and the nature of their accommodation. Furthermore, families in dispersal accommodation do not have access to an onsite WSO as an alternative channel through which to pursue complaints. Inspectors did not have the opportunity to test these assertions since dispersal accommodation was not in scope for this inspection.

## Conclusion

- 7.21** For those accessing Migrant Help from contingency accommodation in Northern Ireland, the picture was one of an acute dissatisfaction shared by a range of other agencies. As in many areas of provision in contingency accommodation, there is a widespread sense that services provided have not been adapted in response to rapid and significant changes such as the increasing use of hotels as initial accommodation and the growing length of time spent in them by families. The result of this with respect to Migrant Help is that it is consistently bypassed as a complaint resolution service in hotels. The absence of Migrant Help staff in or near to contingency accommodation sites inhibits the rapport building that might increase the comfort of a service user in making a disclosure relevant to the service’s safeguarding responsibilities.

## 8. Inspection findings: sharing and reporting of safeguarding data and information

### Introduction

- 8.1** The collection, recording, and sharing of adequate data regarding the needs and characteristics of service users is a vital pre-requisite for safeguarding them and ensuring their welfare. The need to maintain reliable data is made particularly acute in contingency accommodation in Northern Ireland owing to the complex needs with which many families present, and the many agencies involved in processing and providing services to residents of these sites.

### Service commissioning forms

- 8.2** For most asylum seekers, including family members, in Northern Ireland, their first interaction with the Home Office will occur when they claim asylum, usually at the Home Office building in Belfast, Drumkeen House. Drumkeen House, where the Northern Ireland Asylum Intake Unit (AIU) is based, is open from Monday to Friday during normal working hours (9:00am to 5:00pm). An operational manager at the AIU told inspectors that most people seeking asylum do so simply by “walking in” to Drumkeen House and making a claim. Outside of these hours, claimants will have their initial contact with another agency, such as the police.
- 8.3** At Drumkeen House, an asylum seeker will first be questioned regarding his or her personal and family circumstances, country of origin, medical issues and medication, and any specific vulnerabilities. A single AIU staff member, of Administrative Officer grade, conducts all of these interviews. Information disclosed during this brief, informal interview forms the basis of a service commissioning form (SCF). During this process, the AIU engages with an external team, the Routing Team, which assesses the claimant’s eligibility for asylum support. If the claimant is eligible for accommodation, this team then passes the SCF to Mears to arrange this.
- 8.4** Shortly after this initial interview, a claimant undergoes a much longer and more in-depth screening interview that establishes the basis of his or her asylum claim. These interviews last for around 45 minutes. Screening interviewers told inspectors they had received training on safeguarding and identifying vulnerability, as well as on specific topics such as human trafficking. They noted the existence of guidance on how to approach specific sensitive matters, such as suicide and self-harm, within an interview, and suggested this was helpful. Interviewers also reported a strong peer learning culture within the AIU and that, in general, they felt confident in identifying and dealing with safeguarding and vulnerability concerns.
- 8.5** However, as described above, the information initially received by Mears to assist the provider in arranging accommodation, and making any other provision such as a service user might require, comes not from the screening interview, but from a brief and informal initial questionnaire. A single, junior member of AIU staff completes this questionnaire.
- 8.6** Several Mears staff, from across a range of grades and roles, suggested that SCFs were often of sub-standard quality. One Mears senior manager identified SCFs as a “challenging” issue

and referred to the quality of information included as “not the best”. They mentioned that, for example, SCFs might sometimes just say “safeguarding” with no further elaboration on the issue or risk identified. Another senior manager agreed that SCFs often lacked detail. Another suggested that there could sometimes be a “breakdown” in communication between the time a migrant claimed asylum and their placement into contingency accommodation by Mears. This senior manager recalled an incident in which a service user’s mobility issue had not been identified on an SCF. She told inspectors that this was not an isolated incident, but part of a wider pattern. One Welfare Support Officer (WSO) noted that, upon receipt of an SCF, he had developed the habit of making a follow-up telephone call to check the information with the Home Office. Screening interviewers told inspectors that information about service user needs was passed between staff at the AIU and Mears frequently and in an ad hoc manner. One Mears senior manager, however, commented critically on the “piecemeal” nature of this information flow.

- 8.7** An operational manager at the AIU acknowledged that there had been an issue up to late 2022 with the quality and completeness of information captured on SCFs. They suggested, however, that this was a temporary issue created by staffing and training issues in the Routing Team. Some operational staff at Mears agreed that there had been improvement in the quality of information on SCFs, but attributed this to Mears’ own efforts in chasing up additional information around safeguarding and vulnerabilities. Mears senior managers, however, appeared to regard this issue as an ongoing one. A senior manager at the AIU mentioned a recent incident in which an interviewee was seen coughing up blood, but no questions were asked about this until after the person had departed the office.
- 8.8** Notwithstanding such incidents, there was a widespread acknowledgement that gaps in data regarding vulnerabilities could be attributable to factors other than Home Office failings. One senior manager at Mears suggested that recently arrived asylum seekers might fear that disclosing a medical need or other vulnerability might negatively affect their asylum claim. More generally, an AIU operational manager highlighted the potential for caution in disclosing sensitive information among newly arrived asylum seekers.
- 8.9** Nevertheless, the information captured on an SCF is used by Mears to determine the specific accommodation into which a service user is placed. This means it is highly important that accurate and complete information is captured as early as possible. If a service user has an accessibility need that goes unnoticed at the AIU, they might be allocated to a contingency accommodation site that is unsuitable. Mears will then await the completion of an occupational therapy assessment by the local health and social care trust before the service user is moved to a more suitable site. Strains on statutory services, however, can significantly delay these assessments being made, with some taking as long as six months.

## Sharing of incident reports

- 8.10** In addition to sharing data regarding the needs and circumstances of asylum seekers requiring accommodation, Mears and the Home Office share reports relating to incidents that occur in asylum accommodation, including contingency accommodation. Mears provided to inspectors both a ‘Safeguarding child procedure’ and a ‘Safeguarding vulnerable adults procedure’ document. These documents outline the process that should be followed by Mears staff in the event of both a ‘gold’ safeguarding incident (in which there is an imminent risk to a staff member or service user or a need for medical attention) and a ‘silver’ safeguarding incident (in which there is no such imminent risk or need).

- 8.11** These procedure documents require that an ‘incident report form’ be completed by the first responder within 12 hours of the incident and subsequently checked and approved by a line manager for onward distribution to senior management within 24 hours. There is a further requirement that the Home Office be informed of a gold incident within four hours of it being identified, and of a silver incident within 24 hours of the incident coming to attention.
- 8.12** Mears provided inspectors with a blank incident report form. The form is intended to cover a wide variety of specified incident types ranging from a serious injury or death to an incidence of minor anti-social behaviour. On this form, incident types are categorized as ‘gold’, ‘silver’, or ‘bronze’. However, the implicit definition of these categories differs from the explicit definitions, related to imminence of risk, included in the safeguarding procedure documents. For the purposes of an incident report form, a gold incident may not involve an imminent threat or need for medical attention, but might be classified as such because of its potential to “have a negative effect on the reputation of the ... Home Office ... or Mears’ staff”. Inspectors noted the potential for these multiple definitions of a ‘gold’ or ‘silver’ incident to create confusion for staff. A senior manager at Mears suggested that the incident report form “looks a little strange” owing to the need to satisfy Home Office reporting requirements.
- 8.13** In addition to this checklist of incident types, the incident report form contains fields in which a first responder (usually a WSO or Housing Manager) can record details of the service user(s) involved in the incident, a box allowing a staff member to provide a description of the incident, and sections to record any onward referrals made, or involvement of emergency services. The form also provides staff an opportunity to record any previous behavioural issues relating to the service user(s) involved. A Mears senior manager informed inspectors that Mears staff are provided with specific training on how to complete an incident report form.
- 8.14** A Mears senior manager told inspectors that the Home Office receives a monthly breakdown regarding the numbers, types, and severity of incidents occurring in contingency accommodation. This data then forms the basis for discussions of incidents at Contract Management Group (CMG) meetings. Despite several requests, inspectors did not receive a copy of any breakdowns of this data. Minutes of CMG meetings outlined the number of complaints received each month, but no information about trends or learning from them.
- 8.15** Inspectors were informed that, in addition to receiving such data and information regarding incidents in contingency accommodation, the Home Office generates its own reports on some incidents through ‘high-profile notifications’. Such notifications are created in the event of, for example, a death, a serious incident, or an arrest for a serious crime. A Mears senior manager informed inspectors that “usually” both an incident report form and a high-profile notification would be produced, with either one potentially being created first depending on the nature of the incident. The two documents might then be merged at a later time. In addition, as noted in chapter 7, Migrant Help might produce a ‘request for assistance’ document where a service user raises a safeguarding or wellbeing concern directly with that service. Inspectors noted that, particularly where two separate documents are generated and not merged, this system creates the potential for duplication of effort and discrepancies between records held by different agencies.

## Data-sharing arrangements

- 8.16** Inspectors therefore identified a need for agencies to be more effective in sharing and harmonising data and information. However, a Mears senior manager noted that, even if information has been provided to the organisation, the Home Office still owns the data. This, along with General Data Protection Regulation (GDPR) restrictions, limits the data that Mears can share with hotel staff.
- 8.17** A more longstanding concern is the adequacy of access to data relating to service users residing in contingency accommodation sites among Northern Ireland statutory agencies. Inspectors frequently heard from representatives of statutory agencies that they could not discharge their responsibilities to families in those sites owing to a lack of data. Some statutory agencies expressed a more general concern that they do not know who or how many people are residing in contingency accommodation, locally or nationally. Given this apparent lack of adequate data, statutory agencies were concerned about their ability to forecast and plan their future work and meet the needs of families and children whom they consider to be among the most vulnerable in Northern Ireland.
- 8.18** In May 2023, representatives of the Northern Ireland Executive Office (TEO) told inspectors that work on a data-sharing agreement had been ongoing “for months”. Inspectors received minutes of meetings of TEO’s Strategic Planning Group (Refugees and Asylum Seekers), and of that group’s Contingency Accommodation sub-group. These minutes reflect the lengthy work and negotiations undertaken to reach such an agreement. In November 2022, agencies represented at the Contingency Accommodation sub-group produced a document outlining their data needs with respect to asylum seekers in contingency accommodation. This ‘data needs’ document suggests that several statutory agencies within Northern Ireland felt they were lacking data and desired information about, for instance, the prevalence of specific needs and health conditions among the contingency accommodation population, the dispersal of that population, and the flow of asylum seekers through the asylum and support systems.
- 8.19** Negotiations began in November 2022 towards the establishment of a memorandum of understanding that would enable data sharing between the Home Office and Northern Ireland statutory agencies. These negotiations continued for some months, during which the issue of data sharing became a source of significant tension. Multiple statutory agencies emphasised their belief that there was a clear legal basis on which data could be shared with them immediately. During this inspection, a senior manager in the Home Office suggested to inspectors that representatives of Northern Ireland departments were insufficiently attuned to the limitations placed on data sharing by GDPR requirements.
- 8.20** Despite the evident challenges these negotiations presented, an agreement was reached in March 2023 enabling the Home Office to share a ‘data pack’ with TEO that can then be forwarded to other statutory agencies in Northern Ireland. The Home Office emphasised that this is ‘sensitive’ data to be used only as required by Northern Ireland departments and in line with GDPR. This pack includes data regarding the size of the supported asylum-seeking population, its distribution, movement of service users between sites, dispersal plans, migrant demographics, and information about the location and size of each family in contingency accommodation in Northern Ireland. The Home Office has reported that this data is in excess of the data provided to strategic migration partnerships in Great Britain.<sup>30</sup>

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<sup>30</sup> The regional strategic migration partnerships in Great Britain are Home Office-funded, local authority-led bodies that co-ordinate and support delivery of national programmes in asylum and refugee schemes as well as agreed regional and devolved migration priorities.

- 8.21** In line with GDPR, asylum seekers must consent to their personal information being shared by the Home Office with other agencies. Representatives of statutory agencies identified this need to obtain consent as an outstanding concern. A representative of an advocacy organisation suggested to inspectors that as many as 20% of single asylum seekers did not consent to onward sharing of their data. She wondered what effect a similar level of refusal of consent among families would have upon the ability of statutory agencies to provide services to them.
- 8.22** Inspectors noted that the ‘occupancy agreement’ service users are required to sign in order to access initial accommodation contains a requirement that the signatory “acknowledge and accept that Mears does not need my permission to disclose sensitive information about myself or my family if the information is required to prevent or detect crime or is needed to investigate issues [or] help me and/or my family listed in this document in relation to the support provided to myself, my spouse/partner and/or dependents”. An advocacy organisation suggested at a March 2023 meeting of the Strategic Planning Group (Refugee and Asylum Seekers) Contingency Accommodation sub-group that no further consent than this should be required to enable data to be shared with statutory agencies in Northern Ireland. In response, a Home Office contract manager suggested that provision of accommodation to a destitute asylum seeker could not in fact be made contingent on an agreement to share data. Nevertheless, a requirement that a service user gives consent to just such data sharing remains a feature of the current Mears occupancy agreement as provided to inspectors.
- 8.23** In the absence until recently of a data-sharing protocol between the Home Office and Northern Ireland government departments, agencies involved in service provision for asylum seekers in contingency accommodation appear to have made ad hoc arrangements to capture or share additional data. A senior manager at Mears indicated that the provider shared information where it could on a piecemeal basis with specific statutory agencies. This enabled, for example, an employee of the Education Authority to feel confident that they were able to arrive at a contingency accommodation site shortly after a family with school-aged children arrives there in order to assist with school registration. Likewise, health and social care trusts are evidently in receipt of a weekly data report from Mears, but this includes only basic demographic information and does not indicate any vulnerabilities or additional needs. A senior manager at Migrant Help further indicated that the organisation receives data from Mears and not directly from the Home Office.
- 8.24** Additionally, the Education Authority appears to have made some efforts to begin collecting its own data on families resident in contingency accommodation. However, this creates a risk that different agencies will begin to work from different, and conflicting, datasets.
- 8.25** Reflecting this widespread dissatisfaction with the data-sharing picture in Northern Ireland, a senior manager at a public service ombudsman informed inspectors that inadequate data quality commonly leads to poor services being provided to asylum seekers in the region.

## Conclusion

- 8.26** The effective collection, recording, and sharing of data regarding service users in contingency accommodation in Northern Ireland has proven challenging. Inspectors identified a complexity of needs faced by recently arriving asylum seekers and potential reticence among government departments to share sensitive information. These problems are aggravated by the array of agencies working in this field, as well as the complexities created by the distinction between reserved and devolved powers and the lack of a regional strategic migration partnership. Despite hotels first being used to house asylum seekers in Northern Ireland in June 2021, a

data-sharing protocol between the Home Office and local statutory agencies had only recently been completed at the time of this inspection. Furthermore, the protracted negotiations intended to produce the protocol appear to have led to a degree of tension among interested agencies. The recent agreement of a protocol does nevertheless suggest that clearer data processes can be arrived at in the near future.



# 9. Inspection findings: Home Office governance and assurance for safeguarding

## Introduction

- 9.1 Inspectors sought to understand the Home Office’s approach to oversight of the safeguarding of children in families in contingency accommodation in Northern Ireland and assurance that safeguarding standards in the Asylum Accommodation Support Contract (AASC) and the ‘Asylum support contracts safeguarding framework’ (‘the framework’) are being met by the provider.

## Home Office Service Delivery Team

- 9.2 The primary oversight of delivery of the AASC rests with the Home Office’s Service Delivery Team (SDT), which sits within the Adult and Family Accommodation directorate. There is a dedicated lead for the Mears contract and a delivery manager for the Northern Ireland region. This team has regular contact with the Northern Ireland Executive Office (TEO), effectively the seat of devolved government in Northern Ireland.
- 9.3 In the absence of a functioning strategic migration partnership in Northern Ireland, the SDT has also taken on some responsibility for wider engagement with the various Northern Ireland government departments, in partnership with TEO. This includes those responsible for health and education services, and a range of other stakeholders, including non-governmental organisations (NGOs). The SDT also attends meetings of TEO’s Strategic Planning Group (Refugees and Asylum Seekers) and its Contingency Accommodation sub-group, the latter of which was stood up in late 2022 (its first meeting being in October 2022) out of concerns arising from the expansion of the use of hotels to accommodate asylum seekers.

## Home Office Asylum Safeguarding Hub

- 9.4 The Asylum Safeguarding Hub (the ‘hub’) within the Home Office is responsible for ensuring timely interventions, referrals, and signposting to support vulnerable children and vulnerable adults. It receives referrals of individual cases of concern from Mears, the hotel, Migrant Help, statutory agencies, local public services, and very occasionally from asylum seekers themselves. Referrals are triaged through one team and any requiring action are then forwarded to the dedicated regional team for Northern Ireland.
- 9.5 Managers from the hub told inspectors: “Referrals are logged on a spreadsheet and mostly our work after that is to ensure that the relevant authorities are actioning their onward referrals. We note what actions have taken place and monitor and track the case to conclusion ... we act as a backstop to the first responder.” The hub does not have a role in assuring the provider meets its safeguarding obligations under the AASC and the framework.
- 9.6 Separately, members of the hub also attend complex case meetings with statutory agencies, such as the police and social services, which consider individual safeguarding cases.



## Contract Assurance Team

- 9.7** The Home Office’s Contract Assurance Team (CAT) within Asylum Support, Resettlement and Accommodation undertakes inspections of all asylum accommodation, including those used for families with children. Inspectors reviewed all the available inspection reports for the properties they visited.<sup>31</sup>
- 9.8** The form used for the CAT inspection includes the question: “How are SU [service user] vulnerability and safeguarding issues captured and acted on from arrival onwards?” Guidance on the form says that this should involve a discussion with staff and checks of records of vulnerability issues raised. All the reports reviewed by inspectors included comments from staff on the arrangements for safeguarding. However, none of them made reference to any review of records to confirm the appropriateness of any actions taken in response to vulnerability or safeguarding concerns.
- 9.9** The inspection form also includes the question: “What welfare check arrangements are in place to ensure the provider can identify, monitor and react to emerging mental or physical health issues and the general wellbeing of residents?” The entries in response to this question suggested that Mears’ Welfare Support Officers (WSOs) contacted service users on a daily or weekly basis, based on their initial induction conversation, to check on their welfare. Following these checks, a record is taken of any health and wellbeing issues raised. Mealtimes were also said to provide an opportunity for WSOs to engage with service users regarding any issues they have.
- 9.10** A hotel that had started to accommodate asylum-seeking families the week before inspectors visited in June 2023 had not been inspected by the CAT. A member of CAT staff informed inspectors that hotels newly set up to take asylum seekers would generally only be inspected after they had been operating for six to eight weeks to allow time for all the required arrangements to be put in place. While the AASC requires the accommodation provider to ensure that requirements are met immediately upon opening, this delay in inspecting means that the Home Office does not have its own assurance that requirements, for example in respect of safeguarding children, are in place until then.
- 9.11** The 2021 inspection of contingency accommodation recommended that the CAT be sufficiently resourced to maintain a programme of quarterly inspections of all contingency and initial accommodation sites, and this recommendation was accepted by the Home Office. However, during this inspection, inspectors were told that the team is resourced to inspect all contingency asylum sites at least once a year, with additional inspections undertaken if necessary. One of the two hotels housing the majority of families visited by inspectors, in June 2023, had only been subject to an initial inspection, in October 2022, the month after it started to take asylum seekers. If the Home Office’s commitment to quarterly inspections had been met, there would have been at least two further inspections.
- 9.12** Inspectors noted damaged and raised floor covering to a kitchen at one site, which presented a trip hazard to occupants. As mentioned in chapter 5, a service user at another site informed inspectors of an incident which led to their young child requiring hospital treatment. This was the result of a sharp piece of exposed metal below a staircase handrail. Inspectors observed that a temporary repair had only partially addressed the risk of injury. This called into question

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<sup>31</sup> There were ten inspection reports in total provided by the Home Office for the seven contingency accommodation sites being used for families in Northern Ireland.

the adequacy of the hotel's health and safety arrangements. The Home Office was also not aware of this incident.

- 9.13** There did not appear to be any consideration of health and safety incident records, such as an accident book, as part of CAT inspections. The AASC states that the provider shall comply with statutory requirements for safeguarding the health and safety of service users, including children, and that it should be aware of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).<sup>32</sup>

## Contract monitoring and oversight of safeguarding requirements

- 9.14** The Home Office's position statement explained that there is regular contact between the Service Delivery Team and representatives from Mears regarding delivery of accommodation and support services standards, as set out in the contract. It also outlined the structured oversight meetings held to "review successes, challenges and requirement [sic] improvements". These include:
- monthly Contract Management Group (CMG) meetings to discuss operational challenges with contractors
  - quarterly Strategic Review Management Board (SRMB) meetings to consider contract performance, and
  - Executive Oversight Board meetings to review commercial and financial performance issues
- 9.15** Inspectors reviewed the monthly minutes of the meetings of the CMG for Northern Ireland for November 2022 to May 2023. These covered contractor performance from September 2022 to April 2023, as well as the standard reports submitted to the 24 May 2023 meeting. Performance against the contract is evaluated against nine key performance indicators (KPIs) in the AASC which cover the provision and maintenance of accommodation, movement of service users, and other contractual and legal standards.
- 9.16** Inspectors noted, however, that there are no KPIs that cover the safeguarding obligations set out in paragraph 1.2.5 of the Statement of Requirements (SOR) to the contract, such as:
- compliance with the Home Office's policies and guidance relating to safeguarding
  - provision of guidance and training to staff regarding the identification and management of vulnerable service users
  - proactive monitoring of service users to identify those who have specific needs or who are at risk
  - participation in multi-agency safeguarding forums
  - implementing appropriate inspection and reporting procedures to assure the safeguarding and wellbeing of service users
  - maintaining complete and auditable records of consideration and response to service users with specific needs, or at risk

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<sup>32</sup> Under RIDDOR, non-fatal accidents involving members of the public or others who are not at work must be reported if they result in an injury and the person is taken directly from the scene of the accident to hospital for treatment to that injury. An accident book is an essential document that enables businesses to comply with legal requirements to record and report details of specified work-related injuries and incidents.

- adaptations to accommodation to meet the needs of a service user identified as vulnerable or at risk

- 9.17** Senior managers from Mears and the Home Office told inspectors that it was difficult to devise KPIs for safeguarding as there were too many parties involved.
- 9.18** As covered in chapter 6, the framework, published on 9 May 2022, includes four standards relating to policy and strategy, procedures, education and training, and implementation and monitoring which each of the contractors who provide accommodation for the Home Office and the AIRE provider have signed up to.<sup>33</sup> This states that the framework and requirements are met through safeguarding, which is included as a standing agenda item on the CMG and the SRMB. However, the CMG does not include a standing item on safeguarding, and the minutes and papers provided by the Home Office show that only the number of safeguarding incidents is reported to the meeting. A senior contract manager also confirmed: “We are focused on KPIs. There are other meetings where safeguarding might be raised.”
- 9.19** The framework also refers to the Asylum Support Contracts (ASC) Safeguarding Board, which is a monthly meeting involving providers and the representatives from the hub. However, a senior manager from Mears told inspectors that this “had been cancelled for the last couple of months because the Home Office staff have had other priorities”.<sup>34</sup>
- 9.20** As covered in chapter 5, the Home Office was not able to provide any data for the number of safeguarding referrals made in relation to individuals in contingency accommodation in Northern Ireland for the period November 2022 to April 2023, broken down by the agency to which the referral was made. This is concerning, particularly given the absence of an effective assurance process for safeguarding elements of the contract and the framework.
- 9.21** As with all other asylum accommodation providers, Mears’ performance is also reviewed on a continuous basis through service user feedback and requests made via Migrant Help. A Home Office senior manager told inspectors that this was the primary means by which the Home Office identifies trends in incidents, including safeguarding concerns. However, service users told inspectors that they were disinclined to refer matters to Migrant Help, due to dissatisfaction with the service. Service users further suggested that they preferred to raise issues with Mears or hotel staff located onsite. This indicated to inspectors that the Home Office is not getting the full picture of feedback, including safeguarding concerns raised.
- 9.22** In addition, service users are invited to respond to an online service user experience survey, which is accessible via a QR code provided in induction packs and on noticeboards in the accommodation. Inspectors considered the latest results of the survey published in January 2023, which related to the period from September 2021 to August 2022. This report only gives a breakdown by accommodation provider and not region, but it notes that for the whole 12-month period there was only one survey response for Northern Ireland from those in initial accommodation. Mears staff told inspectors that they have increased their promotion of the survey, but minutes of the CMG meeting in January 2023 confirm the continued low response rate renders any analysis of limited value.
- 9.23** The minutes of the CMG meeting also highlighted a lack of information about concerns raised at service user forums. Notes recorded: “We have flagged before that we would like some

<sup>33</sup> Home Office, ‘Asylum support contracts safeguarding framework’ (published 9 May 2022), <https://www.gov.uk/government/publications/asylum-support-contracts-safeguarding-framework/asylum-support-contracts-safeguarding-framework>

<sup>34</sup> The Home Office, in its factual accuracy response, stated the ASC Safeguarding Board is being reinstated, with a meeting scheduled in August 2023.

regular feedback on the forums, we have not had anything from that still, so we don't know how the forums are being utilised."

## Previous inspection recommendations relating to data systems

**9.24** The ICIBI's 2021 inspection included the following recommendation (3.6):

"Prioritise the delivery of a Home Office data system that provides access to, and effective scrutiny of, all service provider contract performance and delivery data."

**9.25** During the course of the inspection, the Home Office informed inspectors that "work is ongoing with the Digital, Data and Technology team (DDaT) and the Asylum and Protection Transformation team to design and deliver property-centric functionality in order to support contract management and assurance".<sup>35</sup> Inspectors were unable to assess whether this functionality would encompass assurance for the safeguarding requirements in the contract and the framework.

**9.26** A further recommendation (3.7) was:

"Implement a system to record details of safeguarding issues identified in contingency asylum accommodation, including the accommodation site, issue of concern, and outcome."

**9.27** The Home Office notified inspectors that it closed this recommendation on 15 May 2023. Its justification for this was that accommodation providers' safeguarding teams make and keep a secure record of appropriate referrals to the relevant statutory bodies and a high-profile notifications process now collates incidents relating to safeguarding risks (self-harm and suicide) as well as a range of other issues, including violence, criminal activity, anti-social behaviours, fire, flood, negligence or targeted attacks on asylum accommodation premises, and disease outbreaks. The incidents are logged on a form and tracked to completion. Inspectors noted that despite this development, the Home Office was still unable to provide any safeguarding referral data.

## Equality impacts in contingency accommodation

**9.28** The Home Office, as a public authority, is subject to the Public Sector Equality Duty (PSED), which came into effect in April 2011. The PSED requires public authorities, in carrying out their functions (including those delivered through a contracted provider), to have regard to the need to achieve the objectives set out under section 149 of the Equality Act 2010 (the Act) to:

- a. eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.<sup>36</sup>

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<sup>35</sup> The DDaT team support all technology-related commercial activity in the Home Office.

<sup>36</sup> Ministry of Justice, 'Public sector equality duty' (published 6 July 2012), <https://www.gov.uk/government/publications/public-sector-equality-duty>

- 9.29** An equality impact assessment (EqIA) is a tool that helps ensure decisions, practices, and policies within organisations are fair and do not discriminate against any protected group. There are nine protected characteristics defined in the Act: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race and ethnicity, religion or belief, biological sex, and sexual orientation.
- 9.30** Inspectors requested copies of any EqIA (and any updates) relating to the placement of asylum-seeking families into contingency asylum accommodation in Northern Ireland. The Home Office advised inspectors: “We don’t have a specific EqIA on contingency accommodation in NI.” While EqIAs are not in themselves a legal requirement, they do help organisations to avoid discrimination and provide an opportunity to reflect on how a new policy or service may impact on specific groups. This is particularly relevant given the diversity of asylum seekers in supported accommodation.

## Conclusion

- 9.31** When the asylum accommodation and support contracts were awarded in 2019, they considered provision of initial and dispersal accommodation. They did not cover contingency accommodation, or more specifically the use of hotels for families, and the safeguarding risks associated with lengthy stays. The introduction of the ‘Asylum support contracts framework’, in May 2022, attempted to address this gap, setting out safeguarding standards to be met, including implementation and monitoring arrangements. However, the existing contract monitoring and service delivery arrangements do not provide robust assurance that these standards and contractual safeguarding requirements are being met. Other mechanisms for reviewing performance in terms of safeguarding, including CAT inspections, customer experience surveys, unannounced visits by senior Home Office officials, and Home Office data systems, are also not being used effectively to hold providers to account.

# Annex A: Role and remit of the Independent Chief Inspector

The role of the Independent Chief Inspector of Borders and Immigration (until 2012, the Chief Inspector of the UK Border Agency) was established by the UK Borders Act 2007. Sections 48-56 of the UK Borders Act 2007 (as amended) provide the legislative framework for the inspection of the efficiency and effectiveness of the performance of functions relating to immigration, asylum, nationality and customs by the Home Secretary and by any person exercising such functions on her behalf. The legislation empowers the Independent Chief Inspector to monitor, report on and make recommendations about all such functions and in particular:

- consistency of approach
- the practice and performance of listed persons compared to other persons doing similar activities
- the procedure in making decisions
- the treatment of claimants and applicants
- certification under section 94 of the Nationality, Immigration and Asylum Act 2002 (c. 41) (unfounded claim)
- the law about discrimination in the exercise of functions, including reliance on paragraph 17 of Schedule 3 to the Equality Act 2010” (exception for immigration functions)
- the procedure in relation to the exercise of enforcement powers (including powers of arrest, entry, search and seizure)
- practice and procedure in relation to the prevention, detection and investigation of offences
- the procedure in relation to the conduct of criminal proceedings
- whether customs functions have been appropriately exercised by the Secretary of State and the Director of Border Revenue
- the provision of information
- the handling of complaints; and
- the content of information about conditions in countries outside the United Kingdom, which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials.

In addition, the legislation enables the Secretary of State to request the Independent Chief Inspector to report to her in writing in relation to specified matters.

The legislation requires the Independent Chief Inspector to report in writing to the Secretary of State. The Secretary of State lays all reports before Parliament, which she has committed to do within eight weeks of receipt, subject to both Houses of Parliament being in session.

Reports are published in full except for any material that the Secretary of State determines it is undesirable to publish for reasons of national security or where publication might jeopardise an individual’s safety, in which case the legislation permits the Secretary of State to omit the relevant passages from the published report.

As soon as a report has been laid in Parliament, it is published on the Inspectorate's website, together with the Home Office's response to the report and recommendations.

## Annex B: ICIBI's 'expectations'

**Background and explanatory documents are easy to understand and use (e.g. statements of intent (both ministerial and managerial), impact assessments, legislation, policies, guidance, instructions, strategies, business plans, intranet and GOV.UK pages, posters, leaflets etc.)**

- They are written in plain, unambiguous English (with foreign language versions available, where appropriate)
- They are kept up to date
- They are readily accessible to anyone who needs to rely on them (with online signposting and links, wherever possible)

**Processes are simple to follow and transparent**

- They are IT-enabled and include input formatting to prevent users from making data entry errors
- Mandatory requirements, including the nature and extent of evidence required to support applications and claims, are clearly defined
- The potential for blockages and delays is designed out, wherever possible
- They are resourced to meet time and quality standards (including legal requirements, Service Level Agreements, published targets)

**Anyone exercising an immigration, asylum, nationality or customs function on behalf of the Home Secretary is fully competent**

- Individuals understand their role, responsibilities, accountabilities and powers
- Everyone receives the training they need for their current role and for their professional development, plus regular feedback on their performance
- Individuals and teams have the tools, support and leadership they need to perform efficiently, effectively and lawfully
- Everyone is making full use of their powers and capabilities, including to prevent, detect, investigate and, where appropriate, prosecute offences
- The workplace culture ensures that individuals feel able to raise concerns and issues without fear of the consequences



## **Decisions and actions are ‘right first time’**

- They are demonstrably evidence-based or, where appropriate, intelligence-led
- They are made in accordance with relevant legislation and guidance
- They are reasonable (in light of the available evidence) and consistent
- They are recorded and communicated accurately, in the required format and detail, and can be readily retrieved (with due regard to data protection requirements)

## **Errors are identified, acknowledged and promptly ‘put right’**

- Safeguards, management oversight, and quality assurance measures are in place, are tested and are seen to be effective
- Complaints are handled efficiently, effectively and consistently
- Lessons are learned and shared, including from administrative reviews and litigation
- There is a commitment to continuous improvement, including by the prompt implementation of recommendations from reviews, inspections and audits

## **Each immigration, asylum, nationality or customs function has a Home Office ‘owner’**

- The Home Office ‘owner’ is accountable for:
  - implementation of relevant policies and processes
  - performance (informed by routine collection and analysis of Management Information (MI) and data, and monitoring of agreed targets/deliverables/budgets)
  - resourcing (including workforce planning and capability development, including knowledge and information management)
  - managing risks (including maintaining a Risk Register)
  - communications, collaborations and deconfliction within the Home Office, with other government departments and agencies, and other affected bodies
  - effective monitoring and management of relevant contracted out services
  - stakeholder engagement (including customers, applicants, claimants and their representatives)

# Acknowledgements

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